



# **NAVAL POSTGRADUATE SCHOOL**

**MONTEREY, CALIFORNIA**

## **THESIS**

**ENABLERS AND OBSTACLES TO DEMOCRATIC  
CONSOLIDATION AND CIVIL-MILITARY RELATIONS  
REFORM: A COMPARATIVE ANALYSIS OF ARGENTINA  
AND GUATEMALA**

by

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March 2014

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ARGENTINA AND GUATEMALA**

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## **ABSTRACT**

Argentina and Guatemala are separated by more than 3,000 miles, and their societies are in many ways dissimilar. Yet they share similarities in the undermining of democracy throughout their histories. Both countries were caught up in the Western fear of communism during the Cold War. With considerable backing from the United States, both countries crafted military governments with the mission of better governance and removal of their internal communist threats. Human rights were repeatedly violated by militaries and terrorists alike in each country. Both countries began democratizing in the 1980s; however, Argentina has made great strides toward democratic consolidation and civil-military relations reform. For Guatemala, these goals remain elusive.

The Argentine case study serves to validate the mode-of-transition argument, which states that the dynamics of the transition to democracy deeply affect democratic consolidation and civilian control of the military. This case study, however, argues that Argentine civil society was a pivotal factor in preventing the military from controlling the transition. Civil society affected the outcome via protests and political participation.

The Guatemalan case study also validates the mode-of-transition argument. This case study illustrates the negative consequences whenever the transition is under military control. It also supports the argument that civil society's actions are a pivotal factor in determining the military's ability to control the transition, via its active protesting of the regime and its participation in the electoral process, or lack thereof. In Guatemala's case, civil society participated in politics early on; over time, however, its participation dwindled.

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## **LIST OF ACRONYMS AND ABBREVIATIONS**

ADPH	Permanent Assembly for Human Rights
CELS	Center for Legal and Social Studies
CIA	Central Intelligence Agency
EMP	Presidential General Staff
ERP	People's Revolutionary Army
FRG	Guatemalan Republican Front
NATO	North Atlantic Treaty Organization
NPT	Nuclear Non-Proliferation Treaty
PDH	Human Rights Ombudsman
REMHI	Official Report of the Human Rights Office
SAAS	Secretariat of Administrative Affairs and Security
SAE	Strategic Analysis Secretariat
UNRG	Guatemalan National Revolutionary Unity
UN	United Nations

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# **I. INTRODUCTION**

## **A. MAJOR RESEARCH QUESTION**

Argentina and Guatemala are separated by more than 3,000 miles and their societies are in many ways dissimilar. Yet they share similarities in the undermining of democracy throughout their histories. Both countries were caught up in the Western fear of communism during the Cold War. With considerable backing from the United States, both countries crafted military governments with the mission of better governance and removal of their internal communist threats. Militaries and terrorists alike in each country repeatedly violated human rights.

Both countries began democratizing in the 1980s; however, Argentina has made great strides toward democratic consolidation and civil-military relations reform. For Guatemala, these goals remain elusive. What factors enabled progressive reform in Argentina and prevented the same level of reform from occurring in Guatemala? This is the question explored in this thesis.

## **B. IMPORTANCE**

The process of achieving democratic consolidation and civilian control of the military is a convoluted path, and democratizing countries often stray from it. As Argentina has followed its repressive military regime (1976–1983) with a democratic transition and 30 years of uninterrupted democracy, its success merits careful analysis. Lessons from Argentina’s success may be applicable to other democratizing states. In the case of Guatemala, an understanding of what has stalled reform may prevent other states from undermining their own democratic transition.

The people of these two countries suffered extensive human rights violations at the hands of the government, and it can be argued that democracy should be installed in order to hold governments accountable to their citizens and reduce the risk of human rights violations. The knowledge of what determines success or failure in a democratic transition is a key requirement in the international pursuit of freedom and democracy. According to the democratic peace theory, promoting democracy helps promote global

peace. Lessons from the attempts to deal with the legacies of authoritarianism in Argentina and Guatemala may be applicable to countries democratizing in the 21st century.

### **C. PROBLEMS AND HYPOTHESES**

When evaluating a transition to democracy and the concomitant establishment of civilian control of the military, it is necessary to comprehend the obstacles to success. This study seeks to understand why success has been accomplished and what obstacles Argentina had to overcome. Alternatively, the study explores why Guatemala's transition to democracy has not resulted in vast civil-military relations reform. Guatemala still struggles with internal security issues that require heavy military involvement. Additionally, this study examines the feasibility of applying the lessons of Argentina to Guatemala, or any other transitioning state.

This thesis argues that Argentina has achieved success in democratic transition and civil-military relations reform because it had a discredited military—unable to control the transition process—and a lively resurrected civil society demanding reform. The opposite conditions existed in Guatemala, resulting in the lack of success seen today. Therefore, I hypothesize that three conditions must be met in order for a transitioning democracy to succeed in implementing full civilian control of the military. First, the type and form of transition toward democracy matters, as it usually determines political winners and losers. All things being equal, quick transitions tend to generate more positive outcomes for civilian control, as opposed to drawn-out transitions. Second, the extent to which the military exercises influence on the process is also important. If the armed forces emerge from the transition with relative institutional strength, then the chances for civil-military reform erode, as soldiers may impose prerogatives and reserve domains as a pre-condition for their return to the barracks. Finally, successful civilian control of the military requires pressure from below, in which civil society demands reform, and shapes both legislation and policy.



## **D. LITERATURE REVIEW**

Before contemplating why Argentina has been successful in achieving democratic civilian control of the military and Guatemala has not, it is necessary to have an understanding of the process of democratization, the concept of civil-military relations, and the nature of each country's conflict that led to vast human rights violations committed by military regimes. The literature on democratization provides explanations as to how and why authoritarian regimes fall, while the civil-military relations literature theorizes on what it means to have full democratic civilian control of the military, how it is achieved, or why it fails to take root. Lastly, reviewing the root causes of conflict in each country serves to explain the environment that enabled human rights violations.

### **1. The Democratization Literature**

Argentina's and Guatemala's transition to democracy occurred during the period known as the *Third Wave of Democratization*, in which authoritarian regimes transitioned toward democracy following a domino effect, starting with Portugal in 1974, then Spain in 1978, and Argentina in 1982. In order to analyze the democratization process, I examined the characteristics of military regimes and their effects on society. In the context of those regimes, the modes of transitions to democracy and the endpoint of democratic consolidation were evaluated.

Military regimes in Latin America were progressively more repressive. Having come to power believing democracy had failed, the military sought to consolidate its power and deter challenges to it. In order to achieve this, laws were passed prohibiting speech against the government. Additionally, political parties were prohibited, or at least severely restricted, and legislatures were often disbanded.<sup>1</sup> Military regimes demanded complete loyalty from their citizens. Anyone who voiced opposition was labeled a subversive and subjected to torture or even death. As neighbors and loved ones "disappeared," an environment of fear set in.<sup>2</sup>

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<sup>1</sup> Patricia Weiss Fagen, "Repression and State Security," in *Fear at the Edge: State Terror and Resistance in Latin America*, ed. Juan E. Corradi, Patricia Weiss Fagen, and Manuel Antonio Garretón (Berkeley: University of California Press, 1992), 40–49.

<sup>2</sup> Manuel Antonio Garretón, "Fear in Military Regimes," in *Fear at the Edge*, 17–19.

As the literature indicates, the nature of the transition to democracy is largely dependent on who initiates it. According to Samuel Huntington, there are three types of transitions: transformation, replacement, and transplacement. “Transformation” occurs when reformers within a regime are able to initiate change from within, thus changing the structure of the existing government.<sup>3</sup> “Replacements” occur when the transition is initiated by regime opponents from outside and results in the ruling regime’s collapse.<sup>4</sup> The third transition, “transplacement,” occurs when moderates within the regime and outside opponents share the transition process.<sup>5</sup> This transition is similar to what Juan J. Linz and Alfred Stepan call *reforma pactada—ruptura pactada*. They claim that reforms implemented within an authoritarian regime lead to its eventual rupture, enabling a new government to take root.<sup>6</sup>

The determination of which transition offers the best possibility of consolidation has been long debated in academia. “Replacements” are indicative of regime collapse as a result of internal power struggles or mass societal uprisings. Some scholars identify civil uprisings as inherently dangerous to consolidation because they risk provoking strong authoritarian reactions from the failing government. Nancy Bermeo, however, identifies contrary examples—such as Portugal, Peru, and the Philippines—where society’s demands resulted in consolidation.<sup>7</sup> Successful “transformations” are conditioned by the outgoing regime’s willingness to continue democratization. Linz and Stepan argue that in transitions that are initiated and controlled by the outgoing authoritarian regime, there is a possibility of a democratically disloyal transfer of power. A democratically disloyal transfer occurs when the outgoing regime tries to limit the authority of the incoming democratic government by enacting legal restraints to remain in place after the transfer,

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<sup>3</sup> Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Norman: University of Oklahoma Press, 1991), 124.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

<sup>6</sup> Juan J. Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe* (Baltimore, MD: The Johns Hopkins University Press, 1996), 61.

<sup>7</sup> Nancy Bermeo, “Myths of Moderation: Confrontation and Conflict during Democratic Transitions,” *Comparative Politics* 29, no. 3 (April 1997): 305–319.

for example, in Chile.<sup>8</sup> This increases when the former regime is led by a hierarchical military institution (or junta), as were Argentina and Guatemala.

Once a transition occurs, it takes time for democracy to consolidate. Linz and Stepan offer five requirements that are indicative of a democratic consolidation: 1) a free and lively civil society,<sup>9</sup> 2) an autonomous and valued political society, 3) a rule of law, 4) a state bureaucracy conducive to democratic government, and 5) an institutionalized economic society.<sup>10</sup> For these five things to occur, society must have faith in the institutions of government. If the state cannot function in its bureaucratic roles or be seen as an efficient and impartial upholder of the law, it will not garner the support of society. When a state has lost its legitimacy, it risks failure, and democracy can thus be interrupted.

Although not listed as a key requirement, Linz and Stepan also state that when consolidation follows a prior military regime, the ability to gain civilian control of the military becomes an essential task.<sup>11</sup> As Argentina and Guatemala have both experienced military regimes, the issue of democratic civilian control of the military is a viable goal that must be achieved in order to reduce the risk of a breakdown of democracy.

In conclusion, from this literature we learn why democratic consolidation is a formidable achievement in post-authoritarian countries. Argentina and Guatemala both experienced military regimes, but transitioned in different manners. In Argentina, the military junta quickly exited shortly after its embarrassing defeat in the Malvinas/Falklands War and after civil society began to actively protest its reign. In Guatemala, the military controlled the democratic transition in 1985 and was therefore able to implement a democratically disloyal transfer of power.

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<sup>8</sup> Linz and Stepan, *Problems of Democratic Transition and Consolidation*, 72.

<sup>9</sup> This is indicative of what Guillermo O'Donnell and Philippe Schmitter label the "Resurrection of Society." See *Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies* (Baltimore, MD: The Johns Hopkins University Press, 1986), 48–56.

<sup>10</sup> Linz and Stepan, *Problems of Democratic Transition and Consolidation*, 7.

<sup>11</sup> *Ibid.*, 67.

## 2. The Civilian-Military Relations Literature

The relation between the military and civilian authorities is a critical component of any democracy. Democratic governments must be elected and held accountable by their citizens. As the military is not popularly elected, democracy cannot exist without civilian control of the military. Since the level of civilian control bears so much weight on the democratization process, this thesis must consider how civilian control can be achieved.

The seminal work on civil-military relations is Samuel Huntington's *The Soldier and the State*. Huntington states that there are two different types of civilian control: subjective and objective. A country with subjective civilian control of the military is one that has achieved civilian power through the weakening of military institutions. A state that has achieved objective civilian control is able to maximize the autonomy of its armed forces without fear of domestic repercussions. In objective control, the officer corps is professional. Huntington defines professionalism as the existence of an apolitical military organization, willing to follow all orders from the recognized legitimate power within the state.<sup>12</sup>

J. Samuel Fitch defines civilian control based upon the armed forces' ability to meet three requirements: 1) they are politically subordinate to civilian authority; 2) they follow the rule of law; and 3) they follow the policies established by duly constituted civilian authorities.<sup>13</sup> This definition closely matches Richard H. Kohn's interpretation of civilian control in mature democracies, which implies civilian supremacy in the establishment of military policy. By contrast, unstable democracies are faced with the immediate challenge of preventing possible coups before they can achieve full control over all facets of the armed forces.<sup>14</sup>

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<sup>12</sup> Samuel P. Huntington, *The Soldier and the State: The Theory of Politics of Civil-Military Relations* (Cambridge, Massachusetts: Harvard University Press, 1957), 80–84.

<sup>13</sup> J. Samuel Fitch, "Military Attitudes Toward Democracy in Latin America: How Do We Know If Anything Has Changed?" in *Civil-Military Relations in Latin America: New Analytical Perspectives*, ed. David Pion-Berlin (Chapel Hill, NC: University of North Carolina Press, 2001), 62–63.

<sup>14</sup> Richard H. Kohn, "How Democracies Control the Military," *Journal of Democracy* 8, no. 4 (1997): 140–142.

Alfred Stepan offers an explanation for why Latin American militaries did not act professionally in the context of Huntington's definition. In his essay, "The New Professionalism of Internal Warfare and Military Role Expansion," Stepan claims that the military developed political and managerial skills, which they then viewed as part of their internal security missions. The military had come to believe that, in comparison to their civilian counterparts, they were better fit to implement doctrinal changes and implement development programs. After overthrowing democratic presidents, the military did not return power to civilians.<sup>15</sup>

As has been mentioned earlier, the restoration of civilian control of the military is a requirement for democracy, but its achievement comes after substantial changes are made to the nature of the military institution. The success of these changes has varied from one country to another. Felipe Agüero argues that if the military is able to control the transition process, then the possibility of achieving civilian control is significantly reduced.<sup>16</sup> A civilian-led transition has a greater chance of prohibiting the military from instituting roadblocks and safeguards in the new democracy.<sup>17</sup> Civilian-led transitions require steadfast pressure from civil society demanding reforms. As far as what causes civil society to demand reforms, Harold Trinkunas offers this:

Only in countries where civil society has mobilized around the issues of human rights abuses under a previous authoritarian regime is civilian control likely to be major domestic political issue. Civilian control, therefore, is likely to be institutionalized only when elected officials commit themselves to its pursuit.<sup>18</sup>

Additional factors affecting reforms are issues of military contestation and military prerogatives. As Stepan has argued, in the transition to civilian control, civilian authorities may find resistance in matters pertaining to the defense budget and size,

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<sup>15</sup> Alfred Stepan, "The New Professionalism of Internal Warfare and Military Role Expansion," in *Authoritarian Brazil: Origins, Policies, and Future*, ed. Alfred Stepan (New Haven: Yale University Press, 1973), 47–53.

<sup>16</sup> Agüero, "Institutions, Transitions, and Bargaining: Civilians and the Military in Shaping Postauthoritarian Regimes," 197.

<sup>17</sup> Ibid.

<sup>18</sup> Harold A. Trinkunas, "Crafting Civilian Control in Emerging Democracies: Argentina and Venezuela," *Journal of Interamerican Studies and World Affairs* (Fall 2000): 82.

mission orientation, and any proposed punishment for grievances committed by the military regime.<sup>19</sup> If the military has grown accustomed to prerogatives, such as complete autonomy and the holding of government offices, then as an institution it will seek to limit the loss of those prerogatives.<sup>20</sup> Furthermore, newly established democratic governments that hold criminal trials to punish the military, risk creating coup-prone environments by alienating the institution the government seeks to control. Jack L. Snyder and Leslie Vinjamuri have studied various transitioning states and have come to the conclusion that amnesty can, at times, be the best strategy in crafting civilian control.<sup>21</sup>

The literature poses interesting questions when applied in the context of Argentina and Guatemala. In Argentina, the military stepped down, realizing that it was unable to govern effectively, yet it still openly protested subordination to civilian control, specifically in regard to the human rights trials. This led President Carlos Menem to implement amnesty for all the armed forces. Today, however, the military is under a civilian defense ministry, follows civilian established policies, and remains under the rule of law, even after human rights trials recommenced in the early 2000s. The Guatemalan military was not subject to criminal charges and did accept some civil-military relations reform, but it is still not under a civilian defense ministry and remains heavily involved in internal security.

### **3. Analyses of Causes of Conflict in Argentina and Guatemala, and Post-Conflict Environment**

The process of democratic consolidation and civil-military relations in post-authoritarian states is linked to the history of conflicts preceding it and the manner in which their resolution is pursued. In order to capture the nature of conflict in Argentina, I relied primarily on the insights developed by Paul H. Lewis's, *Guerrillas and Generals*:

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<sup>19</sup> Alfred Stepan, *Rethinking Military Politics: Brazil and the Southern Cone* (Princeton, NJ: Princeton University Press, 1988), 68–69.

<sup>20</sup> Ibid., 92–99.

<sup>21</sup> Jack L. Snyder and Leslie Vinjamuri, “Trials and Errors: Principle and Pragmatism in Strategies of International Justice,” *International Security* 28, no. 3 (Winter 2003): 43–44.

*The “Dirty War” in Argentina*, and Maria José Moyano’s, *Argentina’s Lost Patrol: Armed Struggle, 1969–1979*. The study of Guatemala’s conflict is based upon *Guatemala Never Again*, a report completed by the Recovery of Historical Memory Project (REMHI); the Official Report of the Human Rights Office, Archdiocese of Guatemala; Victoria Sanford’s *Buried Secrets: Truth and Human Rights in Guatemala*; and other scholarly articles.<sup>22</sup>

Lewis traces the root of Argentina’s conflict to an oligarchy refusing to accept mass politics. He claims that once universal male suffrage was granted in 1912, the elites of Argentina were no longer able to dominate the government. This broadening of democracy threatened the elite’s superior economic and political position and prompted regular military interventions in the democratic process, starting in 1930. What Lewis calls “social malaise” set in, until the charismatic Juan Perón was ushered into power.<sup>23</sup> Perón was removed via a military coup in 1955, which eventually set off a massive guerrilla movement determined to restore Peronism.<sup>24</sup> They achieved their goal, but were dissatisfied by Perón’s second presidency.<sup>25</sup> Their constant use of violence brought in the most repressive military regime in Argentina’s history in 1976, culminating in the Dirty War. The military labeled all guerrillas “subversives” and set about to save Argentina from the likes of communism. More than 20,000 people died during the Dirty War.<sup>26</sup>

Moyano focuses on the militarization of the internal political disputes. Once the guerilla movement began in the 1960s, a generation grew up believing political activity was synonymous with violence. The ability of guerilla groups to socialize its members into violence played a key role in pushing Argentina toward the Dirty War. The failure of guerilla movements to cease violent activities after achieving their objective of returning

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<sup>22</sup> Paul H. Lewis, *Guerrillas and Generals: The “Dirty War” in Argentina* (Westport, CT: Praeger, 2002); María José Moyano, *Argentina’s Lost Patrol: Armed Struggle, 1969–1979* (New Haven, CT: Yale University Press, 1995); Archdiocese of Guatemala, *Guatemala Never Again! The Official Report of the Human Rights Office* (Maryknoll, NY: Orbis Books, 1999); Victoria Sanford, *Buried Secrets: Truth and Human Rights in Guatemala* (New York: Palgrave Macmillan, 2003).

<sup>23</sup> Lewis, *Guerrillas and Generals*, 4–8.

<sup>24</sup> Ibid., 4.

<sup>25</sup> Ibid., 88–95.

<sup>26</sup> Ibid., 97–128.

Perón to power paved the way for the final military coup of 1976. Their violence enabled the military to legitimate the coup and the subsequent repression.<sup>27</sup>

Both authors speak to the resurrection of civil society toward the end of military rule in 1983. The *Madres de la Plaza de Mayo*, or Mothers of Plaza de Mayo, marched every Thursday in silent protest demanding information about their “disappeared” loved ones. Their status as defenseless women in public and their numbers improved their safety, while protesting proved to be an effective means of delivering their message to the international arena.<sup>28</sup> Even though civil society began to actively protest, Alfred Stepan states that the military’s defeat by the British was the tipping point causing the regime’s exit because officers no longer felt willing or able to govern.<sup>29</sup> The end of the Dirty War established the hypothesized conditions necessary for democratic consolidation and civil-military relations reform. The military lost legitimacy and held little influence over the democratic process resulting in President Raúl Alfonsín’s (1983–1989) election. Furthermore, Alfonsín campaigned on a platform demanding accountability for the military’s crimes, and his victory was the evidence of civil society demanding democratic and civil-military reforms.

*Guatemala Never Again* provides an extensive historical context for the Guatemalan conflict. Although the guerilla movement did not begin as an ethnic conflict, Guatemala had been plagued with ethnic repression since its founding. The indigenous Maya make up 60 percent of the population, yet they hold the least amount of land ownership and have the highest percentages of poverty. The relative isolation of the Mayas in Guatemala’s political system made them an easy target in the 36-year civil war.<sup>30</sup> The guerilla movement began after the 1954 CIA (Central Intelligence Agency)-sponsored coup d’état that resulted in a military government. This led to violence erupting throughout the country and the military proclaiming a war against communism.

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<sup>27</sup> Moyano, *Argentina’s Lost Patrol*, 156–165.

<sup>28</sup> Lewis, *Guerrillas and Generals*, 186–187.

<sup>29</sup> Alfred Stepan, “State Power and the Strength of Civil Society in the Southern Cone of Latin America,” in *Bringing the State Back In*, ed. Peter Evans, Dietrick Rueschemeyer, and Theda Skocpol (Cambridge: Cambridge University Press, 1985), 331.

<sup>30</sup> Archdiocese of Guatemala, *Guatemala Never Again!*, 181–189.



The Guatemalan military's capability vastly exceeded that of the guerrillas, resulting in their retreat to the indigenous filled highlands.<sup>31</sup>

Both the archdiocese's investigators and Sanford received countless victims' accounts of the war and its atrocities. The victims' memories and evidence of massacres tell of attempted genocide of an ethnic group that did not cause the conflict.<sup>32</sup> Both the guerillas and the army threatened civilians.<sup>33</sup> The genocidal nature of the conflict became apparent when General Efraín Ríos Montt commenced his "scorched earth" campaign, saying he would "take the water away from the fish." He labeled the Maya the "water" that had to be drained in order to kill the guerillas, the "fish."<sup>34</sup>

The military held elections in 1985, but in the democratic transition were able to hold firm to their prerogatives.<sup>35</sup> It was not until the peace accords were signed in 1996 that some changes in civil-military relations occurred. The peace accords, however, were agreed upon by the army and the guerillas, and provided amnesty for almost all crimes, leaving justice incapable of being rendered.<sup>36</sup> Furthermore, the indigenous majority remained isolated during the peace process, only having a voice through the guerillas. Racist attitudes had become institutionalized throughout the Guatemalan government during the course of the war. Even the *Procuraduría de los Derechos Humanos* (PDH, or Human Rights Ombudsman), which was established in 1985, was infested with racist personnel who could not communicate in the native tongue of the victims, thus denying the majority of the population a voice.<sup>37</sup> The resolution period (1985–1996), created conditions opposite to those found in Argentina. The military fostered a transformation

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<sup>31</sup> Archdiocese of Guatemala, *Guatemala Never Again!*, 188–220.

<sup>32</sup> Ibid., 123–124, and Sanford, *Buried Secrets*, 76–120.

<sup>33</sup> Sanford, *Buried Secrets*, 126–127.

<sup>34</sup> Ibid., 147–155.

<sup>35</sup> Archdiocese of Guatemala, *Guatemala Never Again!*, 245–247.

<sup>36</sup> Ibid., 284.

<sup>37</sup> Roddy Brett, "Confronting Racism from within the Guatemalan State: The Challenges Faced by the Defender of Indigenous Rights of Guatemala's Human Rights Ombudsman's Office," *Oxford Development Studies* 39, no. 2 (June 2011): 208–213.

and was therefore able to exert significant control of the process. Civil society did not mobilize because it was divided along ethnic lines.

## **E. METHODS AND SOURCES**

This thesis is a comparative study of Argentina and Guatemala. It relies on the democratization literature to assess the evolution of civil-military reform in the two identified countries. In each case study, specific attention is focused on who initiated and led the transition, the level of civil-societal participation, and each military's response to reform. From each case study, commonalities and differences can be identified to answer the research question.

In addition to material referred to in the literature review, this thesis relies extensively on scholarly journals and books pertaining to Argentina and Guatemala's political system and human rights regime. Scholars Wendy Hunter and David Pion-Berlin offer valuable insight on Argentine civil-military relations, while J. Mark Ruhl provides an understanding of the reform process in Guatemala. It is the intent of this thesis to evaluate recent publications in the context of previously mentioned theories and draw definitive conclusions.

## **F. THESIS OVERVIEW**

This study consists of four chapters. This chapter presented key arguments and reviewed the theoretical literature. Chapters II and III analyze, in depth, the transition to democracy and subsequent civil-military relations reform that occurred in Argentina, beginning in 1983, and in Guatemala, beginning in 1985. Chapter IV offers a comparison of both democratic transitions and lessons on how best to consolidate democracy and establish civilian control of the armed forces.

## II. ARGENTINA

### A. INTRODUCTION

Argentina's 1983 transition to democracy has produced continuous democratic rule for the past thirty years. Its successful movement toward democratic consolidation and establishment of civilian control over its armed forces is remarkable given its turbulent history. Having established democratic rule in 1853, Argentina succumbed to numerous periods of authoritarian rule from 1930 to 1983. The repetitive military intrusion into the government became expected and condoned, thereby undermining the security of democracy. The initial coups conformed to what Alfred Stepan has called the "moderating pattern" in civil-military relations, where the military intervenes, fixes political problems, and quickly hands over power to the civilians. By the 1960s, however, these coups conformed to what Guillermo O'Donnell has called "bureaucratic authoritarianism," where the military and their civilian allies agree on long-term rule in order to carry out radical transformations.<sup>38</sup> The military junta of 1976–1983, however, enacted the darkest chapter in Argentina's history by introducing severe repression, torture, and other serious human rights violations. The military's conduct, combined with governing failures, prompted Argentines to once again demand democratic rule. Their newfound voices and the political decisions of presidents Raul Alfonsín (1983–89) and Carlos Menem (1989–1999) guided Argentina toward its greatest movements in achieving democratic consolidation and the establishment of full civilian control of the armed forces.

The Argentine case study serves to validate the mode-of-transition argument, in which the method of transition deeply affects democratic consolidation and civilian control of the military. The argument states that transitions with minimal military control

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<sup>38</sup> Alfred Stepan, *The Military in Politics: Changing Patterns in Brazil* (Princeton: Princeton University Press, 1971), 3–6; In a bureaucratic-authoritarian regime, the military governs with a coalition of technocrats managing governmental functions. See David Collier, "Overview of the Bureaucratic-Authoritarian Model," in *The New Authoritarianism in Latin America*, ed. David Collier (Princeton: Princeton University Press, 1979), 24.

offer the best prospects for successful reform.<sup>39</sup> This case study, however, argues that civil society is a pivotal factor in determining whether the military is able to control the transition. Civil society affects the outcome via protests and political participation. Additionally, the manner in which the preceding domestic conflict ended affects the degree of civil society's participation.

## **B. BACKGROUND OF POLITICAL CONFLICT AND ITS EFFECTS**

Paul Lewis traces the origins of Argentina's political conflict to the implementation of universal male suffrage in 1912. The broadened electorate caused politicians to be susceptible to populist issues affecting the average Argentine. The oligarchy's resistance toward labor demands, coupled with the woeful economic conditions of the Great Depression, caused instability throughout the country. On September 6, 1930, Lieutenant General José Félix Benito Uriburu y Uriburu became the de facto president after a coup d'état. Although his reign lasted only 17 months, his presidency began the pendulum swing between democratic and military rule that lasted for over fifty years. The presidency shifted from civilians to military officials at an alarmingly fast rate until 1946, when Juan Domingo Perón was elected president.<sup>40</sup>

Perón rose through the army ranks during the military administrations of the 1930s and 1940s. A skillful politician, he united the extreme right and left wings of Argentina's political spectrum. As president however, he enacted laws that set the precedent for political repression of one's opponents. Although adored by his followers, his populist agenda wreaked further havoc on the economy and caused unrest amongst the oligarchs. As the precedent for military intervention had already been set, Perón was forced into exile through a coup in 1955.<sup>41</sup>

The intent of the coup was to restructure the economy and once again set Argentina on a path to prosperity, but these intentions were not enough to overcome the

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<sup>39</sup> Agüero, "Institutions, Transitions, and Bargaining," 197. Ruth Stanley supports this argument in "Modes of Transition v. Electoral Dynamic: Democratic Control of the Military in Argentina and Chile," found in *Journal of Third World Studies* (Fall 2001.)

<sup>40</sup> Lewis, *Guerrillas and Generals*, 4–6.

<sup>41</sup> *Ibid.*, 5–8.

vast resentment within the population so enamored of Perón. In an attempt to control dissent and prevent a Peronist restoration, the newly installed president, General Pedro Aramburu, outlawed Perón's party and indefinitely banned it from participating in elections.<sup>42</sup> Peronism proved very resilient, however, and able to win local elections when allowed to run. This led to further proscription for the party, and in turn to labor unrest, thus precipitating authoritarian rule. Further oppression occurred when students and university members voiced opposition to the 1966 coup that placed General Juan Carlos Onganía in power. On July 29, 1966, now known as the "Night of the Long Batons," police stormed the universities with tear gas and began beating students and faculty for their vocal opposition. Domestic guerrilla groups formed and utilized violence to demand Perón's return.<sup>43</sup>

The guerrillas aimed their violent acts at public places and military officers. Bombings and hijackings were used to demonstrate strength to the military government, but their most effective means of publicizing themselves was by kidnapping businessmen, which often turned a tidy profit.<sup>44</sup> Military officers were also targeted for kidnappings and assassinations. General Juan Carlos Sánchez was gunned down by guerrillas in 1971; former military president General Aramburu was captured and executed in a mock trial a year before.<sup>45</sup> In addition, the guerrillas utilized torture methods used by the military throughout the 1930s, including the use of the cattle prod.<sup>46</sup>

The guerrilla groups did not achieve widespread support from the population on their own. Instead, it was the government's reactions to guerrilla activity that drew popular sympathy for the guerrillas' cause. The military government received heavy criticism for the policies and methods it used to capture and punish guerrillas, most notably after the Trelew Massacre of 1972 where 16 top guerrilla leaders were summarily

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<sup>42</sup> Lewis, *Guerrillas and Generals*, 4–6.

<sup>43</sup> Moyano, *Argentina's Lost Patrol*, 18–21.

<sup>44</sup> Lewis, *Guerrillas and Generals*, 56–58.

<sup>45</sup> *Ibid.*, 54, and Moyano, *Argentina's Lost Patrol*, 25.

<sup>46</sup> Lewis, *Guerrillas and Generals*, 63.

executed at a naval base.<sup>47</sup> Public opposition to military rule forced the military to seek a political exit.<sup>48</sup>

Recognizing they had lost the will of the people, the military capitulated and agreed to hold elections for a return to democratic rule. Perón returned to Argentina but was forbidden to run for office. His stand-in for the Peronist Party, Héctor Cámpora, won the election with 49.5 percent of the vote; 86 percent of the electorate voted.<sup>49</sup> The guerrillas had won their objectives: Peronism was no longer illegal and their legal political voices had been restored. Additionally, Cámpora granted amnesty to all incarcerated terrorists. However, terrorists groups continued the use of violence and refused to accept the democratic elections.<sup>50</sup>

Political violence increased, giving way to Cámpora's replacement by Perón in September 1973, after new elections.<sup>51</sup> Perón's death, almost a year later, elevated his wife Isabel Perón to the presidency.<sup>52</sup> She was also unable to maintain political unity or domestic security. On February 5, 1975, she signed a decree authorizing the army to begin *Operación Independencia* in order to stamp out the guerrilla forces in Tucumán province.<sup>53</sup> This gave the military legal justification for conducting internal warfare and considering their fellow citizens as combatants. As the year progressed, and Isabel further lost her grip of the Argentine state and economy, the military as an institution began to feel justified in taking control of the government. The economy was in shambles, and guerrillas were publicized as an out-of-control threat. Therefore, the military removed Isabel from power on March 24, 1976, ushering in the final period of military rule in 20th

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<sup>47</sup> The Trelew Massacre involved the execution of sixteen captured guerrillas after a failed escape plan. The guerrillas were executed by machine gun without trial. See Moyano, *Argentina's Lost Patrol*, 29.

<sup>48</sup> Moyano, *Argentina's Lost Patrol*, 30.

<sup>49</sup> Lewis, *Guerrillas and Generals*, 80.

<sup>50</sup> Ibid., 83–85.

<sup>51</sup> Ibid., 90.

<sup>52</sup> His wife ran as his Vice Presidential Candidate. See Lewis, *Guerrillas and Generals*, 95.

<sup>53</sup> Lewis, *Guerrillas and Generals*, 105.

century Argentina. The junta was composed of General Jorge Rafael Videla, Admiral Emilio Eduardo Massera, and Brigadier General Orlando Ramón Agosti.<sup>54</sup>

This coincides with what Alfred Stepan has called “new professionalism of internal security and national development,”<sup>55</sup> where the military’s role is expanded. In Argentina’s case, the military’s participation in counterterrorist and counterinsurgency campaigns on their domestic soil, emboldened them to take over the government, believing they could do better than the civilians. The military, as an institution, took over the federal and regional governments. Military officers filled bureaucratic positions within the government normally reserved for civilians, often collecting dual salaries.<sup>56</sup> Additionally, the military divided the country into four zones, facilitating each army corps a region to govern.<sup>57</sup>

Once in power, the military played on the population’s fear. General Videla, de facto president and head of the military junta, had already remarked earlier in 1975, “As many people as necessary must die in Argentina so that the country will again be secure.”<sup>58</sup> It is worth noting that even Juan Perón’s former personal representative, Jorge Paladino, did not consider the military takeover as a coup. He stated, “Properly speaking, it wasn’t a coup. The Armed Forces did nothing more than to accept the citizens’ tacit and/or explicit request that they intervene, take charge.”<sup>59</sup>

In prosecuting the war against subversion after the coup, laws were enacted once again prohibiting political parties and eliminating the freedom to voice disagreement with the government.<sup>60</sup> Citizens found in violation were subject to arrest, torture, and possibly

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<sup>54</sup> Lewis, *Guerrillas and Generals*, 127.

<sup>55</sup> Stepan, “The New Professionalism of Internal Warfare and Military Role Expansion,” 51.

<sup>56</sup> Deborah L. Norden, *Military Rebellion in Argentina: Between Coups and Consolidation* (Lincoln, NE: University of Nebraska Press, 1996), 64–65.

<sup>57</sup> Moyano, *Argentina’s Lost Patrol*, 85.

<sup>58</sup> Marguerite Feitlowitz, *A Lexicon of Terror: Argentina and the Legacies of Torture* (New York: Oxford University Press, 1998), 6.

<sup>59</sup> *Ibid.*, 7.

<sup>60</sup> Fagen, “Repression and State Security,” 53, and Moyano, *Argentina’s Lost Patrol*, 73.

death.<sup>61</sup> Captive individuals were taken to clandestine concentration camps found throughout the country. Oscar González and Horacio Cid were two individuals who escaped from concentration camps within Argentina. In 1979, their testimony to Amnesty International detailed torture involving beatings, electrocutions, and rapes. The “*picana*” (cattle prod) was applied to all sensitive portions of the body, including sexual organs. Husbands and boyfriends were forced to watch their wives and girlfriends be raped by soldiers.<sup>62</sup>

The military government never acknowledged the existence of camps or the disappearances. Family members seeking information or demanding writs of habeas corpus were told the government did not have the missing individual in custody. Judges became fearful for their own lives and occupations, and would not dare challenge information from the military. Also, the citizenry could not turn to the local police for support. Local police turned a blind eye to known actions of the military by ceasing patrols and creating “green zones” for military abductions, when they were not directly implicated in the disappearances.<sup>63</sup>

The one main effective group that was able to overcome fear and take a stand against the military government was the *Madres de la Plaza de Mayo*, or Mothers of Plaza de Mayo. The *Madres* marched every Thursday in silent protest demanding information about their “disappeared” loved ones. Their status as defenseless women in public and their growing numbers improved their safety while protesting. An offshoot, the *Abuelas*, or Grandmothers, joined their protest marches as well. This proved to be an effective means of delivering their message to the international arena.<sup>64</sup>

The *Madres* started the “rebirth” of Argentine civil society. Society mobilized around the *Madres*’ cause, and was emboldened to protest the crippling economic conditions. In addition to the *Madres*, the *Asamblea Permanente por los Derechos*

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<sup>61</sup> Fagen, “Repression and State Security,” 51.

<sup>62</sup> Amnesty International, *Testimony On Secret Detention Camps In Argentina* (London: Amnesty International Publications, 1980), 18–19.

<sup>63</sup> Fagen, “Repression and State Security,” 52–55, and Argentine National Commission on Disappeared, *Nunca Más*, (New York: Farrar, Straus, Giroux, 1986), 13–16.

<sup>64</sup> Lewis, *Guerrillas and Generals*, 186–187.



*Humanos*, or Permanent Assembly for Human Rights (ADPH), actively protested and beseeched the military to change its policies. The ADPH, formed in 1975, also created the *Centro de Estudios Legales y Sociales*, or Center for Legal and Social Studies (CELS), in order to support victims' legal proceedings against the government. In 1977, they publicly submitted a letter to General Videla condemning the government's refusal to acknowledge habeas corpus requests.<sup>65</sup>

The military's policies had also led to further economic decline. In 1982, the military's humiliating defeat in the Falklands/Malvinas War dissipated any remaining fears of the military regime. General Reynaldo Bignone became the final military president in June 1982, and very quickly sought an exit strategy for the military.<sup>66</sup>

### C. TRANSITION TO DEMOCRACY

Argentina's transition to democracy in 1983 most closely followed Huntington's analysis of transplacement. This category best describes the transition because, although society demanded a return to democratic rule, the military actually initiated the transition. It could be argued that the military did not have a choice after the Malvinas fiasco, and that a civilian uprising would have eventually overthrown the government, as there were almost daily civilian protests.<sup>67</sup> Nonetheless, that did not happen. The military prepared for a transition and is rumored to have entered into negotiations with union-backed Peronists in order to procure certain prerogatives in hopes of preserving the military institution.<sup>68</sup> Given that Peronism had been a central issue in Argentina's political conflict and still retained high popularity, it was a reasonable conjecture that a Peronist-affiliated candidate would win the presidential election and maintain pre-transition agreements.<sup>69</sup>

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<sup>65</sup> Elizabeth Jelin, "The Politics of Memory: The Human Rights Movement and the Construction of Democracy in Argentina," *Latin American Perspectives* 81, no. 2 (1994): 40–45.

<sup>66</sup> Lewis, *Guerrillas and Generals*, 186–187.

<sup>67</sup> *Ibid.*, 192.

<sup>68</sup> Wendy Hunter, "Continuity or Change? Civil-Military Relations in Democratic Argentina, Chile, and Peru," *Political Science Quarterly* (Fall 1997): 463.

<sup>69</sup> The Peronist had never lost a free election since Perón's victory in 1946. See Lewis, *Guerrillas and Generals*, 193.

Analysis of the pre-election environment invites speculation that the prospects of achieving complete civilian control of the armed forces were minimal. After all, even though it was a quick transition process, it was not a collapse, and the military was able to foster favorable conditions to their stepping down. Amnesty laws were passed and the military largely expected to be left alone by the Peronists.<sup>70</sup> Furthermore, for the past fifty years, the military had at times returned power to civilians, only to usurp it shortly thereafter. The rotation between civilian and military rule became an institutional norm following the Argentine high court's 1930 ruling that military coups were legal because "they all alone have the task of protecting life, liberty, and property in the event the established order breaks down."<sup>71</sup> Democracy was by no means a sure thing.

The turning point occurred in the presidential election of 1983. The military assumed the Peronists would win the election as they were the traditional populist party. However, both the military and the Peronist party neglected to factor in society's anger toward the military junta. The victorious candidate, Raul Alfonsín, had campaigned for holding military officials accountable and promised to annul the amnesty law; his opponent had not.<sup>72</sup> Additionally, Alfonsín had been the former vice president of the ADPH.<sup>73</sup> The extensive human rights abuses produced a multitude of angry relatives seeking justice. One explanation for society's anger, almost exclusively leveled at the military, was the absence of guerrilla violence toward the end of military rule. The military had successfully eliminated the two main guerrilla groups, Montoneros and the ERP (People's Revolutionary Army), as serious threats to the state by 1979.<sup>74</sup> The military lost influence on the incoming democracy when Alfonsín won 52 percent of the

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<sup>70</sup> Lewis, *Guerrillas and Generals*, 193.

<sup>71</sup> Donald C. Hodges, *Argentina's "Dirty War": An Intellectual Biography* (Austin, TX: University of Texas Press, 1991), 20–21.

<sup>72</sup> Lewis, *Guerrillas and Generals*, 199–200 and Hunter, "Continuity or Change?," 463.

<sup>73</sup> Jelin, "The Politics of Memory," 46.

<sup>74</sup> The Montoneros suffered 80 percent casualties during the Dirty War and ceased operations in 1979. The ERP ceased operations in 1977. See Lewis, *Guerrillas and Generals*, 160–161.

vote; this was 12 percentage points higher than his competitor, Ítalo Lúder, of the Judicialist (Peronist) Party.<sup>75</sup>

#### **D. PURSUIT OF CIVILIAN CONTROL OF THE MILITARY**

President Alfonsín entered the office with the odds seemingly against him. He inherited an economy in a downward spiral, a military embarrassed by their abysmal performance at war, and a society determined to see justice through. From the start, in order to govern, Alfonsín had to take two positions unfavorable to the military. One (budget cuts) was forced upon him because of the status of the economy. The other, military trials were part of his campaign pledges. The military found the budgets cuts disparaging as it sought to recover war losses and continue to pay members of the armed forces. Military members saw their salaries cut and readiness ability shattered.<sup>76</sup>

Adding insult to injury, Alfonsín directed a commission to retrieve evidence of human rights violations and to account for the victims lost from 1976 to 1983. The report, entitled *Nunca Mas* (Never Again), detailed horrendous accusations of military abuse.<sup>77</sup> As Alfonsín won the election based on his promises to bring those accountable to justice, he directed the military courts to hold trials for the first three military juntas. The military refused to levy charges, ultimately leading to trials in the civilian courts.<sup>78</sup> The military institution did not overtly challenge the trials and verdicts, as the accused were retired military officers. The circumstances changed, however, when judges surpassed Alfonsín's original intentions and ordered trials for lower-ranking officers and their subordinates.<sup>79</sup>

Scholarly debate surrounds the determination of which method of implementing reforms offers the best chance of consolidation and military subordination. It could be

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<sup>75</sup> Lewis, *Guerrillas and Generals*, 195.

<sup>76</sup> Hunter, "Continuity or Change?" 464–465.

<sup>77</sup> Norden, *Military Rebellion in Argentina*, 99–100.

<sup>78</sup> Five of nine defendants received guilty verdicts. General Videla and Admiral Massera received life sentences. Brigadier General Agosti, General Viola, and Admiral Lambruschini received reduced prison sentences. The third junta members and Brigadier General Graffigna of the second junta, were found not guilty; Norden, *Military Rebellion in Argentina*, 99–102.

<sup>79</sup> Lewis, *Guerrillas and Generals*, 223–225.

argued that Alfonsín's election and subsequent human rights trials plagued Argentina with uncertainty and placed its transition at risk of failure. Looking at the short-term implications, that argument would appear correct. Alfonsín endured three military rebellions that consolidated into the group called the *Carapintadas*.<sup>80</sup> One occurred in 1987, and the other two occurred in January and December of 1988. His successor, Carlos Menem, endured a final rebellion in 1990.<sup>81</sup> One can certainly make the argument that a non-confrontational strategy with the military would have likely resulted in fewer, if any, rebellions. A counter question asks, "If there was never such a pointed conflict between the government and the military, how would the government ever fully exert authority over the military?" This does not serve to make light of the dangers in confronting the military, but it does imply that until the government fully and publicly asserts its superiority over the military, civilian control will remain in doubt. Again, the military had given up power before, only to take it back shortly thereafter. After the 1983 transition, Alfonsín's steadfastness and society's resilience were able to overcome the military's protesting about loss of their prerogatives. The guilty verdicts remained, and Alfonsín continued his push toward civil-military relations reform.

The military rebellions publicly demonstrated a lack of complete civilian control of the military, even though Alfonsín had implemented widespread reform. Among those reforms, he included a civilian defense minister, demoted the top military officers to "chief of staff" positions, slashed the budget, and placed a civilian in charge of Argentina's nuclear commission for the first time since its inception. Additionally, Alfonsín fostered the passage of the National Defense Law, thereby preventing the military from conducting internal security missions.<sup>82</sup>

The military resented all the reforms, but the one it contested most was the ongoing trials. Even though the military rebelled and received concessions in order to induce them to return to the barracks, holding the trials was not necessarily the wrong thing to do, as Jack Snyder and Leslie Vinjamuri suggest. The trials occurred because

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<sup>80</sup> Norden, *Military Rebellion in Argentina*, 127–138, 150–154.

<sup>81</sup> Ibid.

<sup>82</sup> Hunter, "Continuity or Change?" 463–464.

most Argentines demanded it; they demanded it with their vote for Alfonsín. Society did not back down even in the face of military rebellions. At the height of the rebellions, society mobilized, demonstrating their intolerance for another military coup.<sup>83</sup> Society's demand for democracy fostered a long-term implication: democracy was there to stay. This corresponds with Harold Trinkunas' statement that civil-military issues will only become major political issues when society actively protests past human rights abuses.<sup>84</sup>

Manuel Garretón states that after a military government that produced intense fear throughout the country relinquishes power, the military as an institution must be subdued so that it can no longer threaten the peace and mind of its citizens.<sup>85</sup> The problem centers on what to do with the military and how best to control it. Unless the military is completely dissolved, a thoughtful decision must be made as to what its new mission will be. In Argentina, the lack of a mission—after being barred from internal defense, coupled with the trials and reduced budgets—created discontent within the ranks.

Alfonsín failed to provide the military with redirection and his foreign policy created conditions diminishing the need for a military. Shortly after his inauguration, he guided Argentina to formally end the Beagle Conflict with Chile.<sup>86</sup> His successor, President Carlos Menem, completed his pursuit. Additionally, Alfonsín embarked on a policy of rapprochement with Brazil. After 1985, when Brazil transitioned to democracy, Alfonsín found a workable partner in the restoration and improvement of Argentine–Brazilian relations.<sup>87</sup>

Argentine relations with its neighbors continued to improve under Menem. A bilateral nuclear treaty with Brazil expanded the nuclear-weapons-free zone in Latin America and enlarged the international membership of the Nuclear Non-Proliferation

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<sup>83</sup> Norden, *Military Rebellion in Argentina*, 128.

<sup>84</sup> Trinkunas, "Crafting Civilian Control in Emerging Democracies: Argentina and Venezuela," 82.

<sup>85</sup> Garretón, "Fear in Military Regimes," 24.

<sup>86</sup> James L. Garrett, "The Beagle Channel Dispute: Confrontation and Negotiation in the Southern Cone," *Journal of Interamerican Studies and World Affairs* 27 (1985): 99–101.

<sup>87</sup> Julio C. Carasales, "The So-Called Proliferator That Wasn't: The Story of Argentina's Nuclear Policy," *The Nonproliferation Review* (Fall 1999): 57.

Treaty (NPT).<sup>88</sup> All of these peaceful initiatives toward Argentina's neighbors created a conflict-free zone. As the military is expected to be a master of conflict, there arguably is not much for it to do when there are no perceived threats externally and it is forbidden from conducting internal security.

While Alfonsín never garnered the loyalty of the armed forces, his presidency was never nominally threatened by the military. The rebelling forces always stated that it was not their intention to overthrow the government; they desired to restore honor and stability to the military institution by purging high-ranking officers and stopping the prosecutions of military members.<sup>89</sup> Alfonsín persuaded the Congress to pass the "Due Obedience Law" that absolved all members below the rank of colonel of any wrongdoing, but this did not change the democratic course in Argentina.<sup>90</sup> Argentina held its second presidential election in 1989, resulting in the presidency transferring to Carlos Menem. Since 1928, this was the first time political power transferred peacefully between members of opposing parties.<sup>91</sup>

Upon taking office, Carlos Menem faced a disgruntled military. They had no mission, reduced pay, and humiliation from their past attempt at government. Again, even though they were disgruntled and conducted rebellions, their stated goals were not to take over the government. Menem did not have the ability to raise their salary or budget due to persistent economic woes, but he did pursue a policy of amnesty for all convicted and accused service members. Menem's popularity fell to its lowest numbers, however, as Argentine citizens were angry at the amnesty.<sup>92</sup> Judging by the reaction from the enraged electorate, it would have been foolhardy for the military to even think of usurping power.

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<sup>88</sup> Carasales, "The So-Called Proliferator That Wasn't," 57–58.

<sup>89</sup> Norden, *Military Rebellion in Argentina*, 129–131, 151–152.

<sup>90</sup> Ibid., 104.

<sup>91</sup> This correlates with one of Samuel Huntington's indicators of democratic consolidation. See Huntington, *The Third Wave*, 266–267.

<sup>92</sup> Menem's popularity fell below 20 percent but rose to over 70 percent a year later after economic reforms. See Nathaniel C. Nash, "Argentina's President Turns Economics Into Poll Approval," *New York Times*, February 16, 1992, <http://www.nytimes.com/1992/02/16/world/argentina-s-president-turns-economics-into-poll-approval.html>.

The military had the resources to forcefully assume power, but it could not put down an entire population rebelling against military rule.

Even though Menem's popularity dipped to its lowest levels, his concession was enough to achieve subjective control over the military. Military leaders, grateful for the amnesty pledge, sided with Menem during the last rebellion, leading to its abysmal failure.<sup>93</sup> Once Menem garnered some support from within the military, he then cleverly sought out a positive mission for the services. Menem, with the approval of Congress, sent Argentine forces to support coalition efforts in the first Gulf War. Following war operations, the Argentine military became a large contributor to United Nations (UN) peace efforts. Supporting UN operations provided additional salary, equipment, and prestige for the Argentine military at no extra expense to the country's budget. Instead, the international community financed the rebirth of the Argentine military, due to its large donations to peacekeeping around the world.<sup>94</sup>

In addition to providing the military with redirection, peacekeeping helped finalize civilian control of the military in Argentina. Arturo Sotomayor states in his book, *The Myth of the Democratic Peacekeeper: Civil Military Relations and the United Nations*, that President Menem "used peacekeeping as a carrot and stick with which to induce change."<sup>95</sup> By enticing junior officers with better wages and upward mobility, the military accepted its newfound occupation. The financial incentives of peacekeeping operations supported the junior officers and non-commissioned officers from which the *Carapintadas* originated.<sup>96</sup> In order to adequately prepare Argentine forces for peacekeeping operations, the defense ministry organized training and doctrinal development, thereby implementing civilian influence over the military's development.<sup>97</sup> Finally, the Argentine forces that were sent abroad had the fortune of serving alongside militaries of the North Atlantic Treaty Organization (NATO.) This exposed Argentine

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<sup>93</sup> Norden, *Military Rebellion in Argentina*, 148–155.

<sup>94</sup> Arturo C. Sotomayor, *The Myth of the Democratic Peacekeeper* (Baltimore, MD: John Hopkins University Press, 2014), 39–45.

<sup>95</sup> Ibid., 97.

<sup>96</sup> Ibid., 77.

<sup>97</sup> Ibid., 97.

service members to professional Western militaries, whereby they saw, first hand, the actions of professional militaries committed to democracy and civilian leadership.<sup>98</sup>

The epitome of Argentina's military reform can be seen by examining its conduct during the financial crises at the turn of the century. The military's 2001 refusal to carry out unconstitutional orders of subsequent President Fernando De la Rúa (1999–2001), to put down civilian protesters, demonstrates the military's commitment to democracy and its withdrawal from political affairs. Having remembered society's anger for past human rights violations, the military stayed in the barracks and supported the democratic process.<sup>99</sup>

## **E. CONCLUSION**

Jack Snyder and Leslie Vinjamuri cite Menem's strategy as evidence of the negative implications of trials and the positive implications of a non-confrontational strategy toward the armed forces. It is true that civil-military relations did not take a dramatic turn for the better until after amnesty was granted. However, their approach deals with how to achieve subjective control over the armed services. Relying exclusively on this strategy ignores the historical trends in Argentina. Since 1930, the government had constantly shifted hands between civilians and the military. The transition to democracy in 1983 was not the first time Argentina attempted to restrain military political power. Argentines had grown quite accustomed to the military swooping into power and replacing elected political leaders; at times, society even welcomed the military intervention. The 1976–1983 government, however, was different. Society's demand for the restoration of democracy and for accountability for human rights violations turned the 1983 election into a watershed event. No, the election did not solve relations between the military and civilian government, but it sent a strong message that society would no longer tolerate military governments.

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<sup>98</sup> Sotomayor, *The Myth of the Democratic Peacekeeper*, 111–112.

<sup>99</sup> David Pion-Berlin and Harold Trinkunas, "Civilian Praetorianism and Military Shirking During Constitutional Crises in Latin America," *Comparative Politics* (July 2010): 402–403.



In transitioning to democracy, Argentina achieved favorable conditions to induce democratic civilian control of the military, primarily because of domestic pressure from Argentine society. It is Argentine society that challenged the military's authority, starting with the *Madres de la Plaza de Mayo*. It is also Argentine society that refused to elect a Peronist candidate rumored to be backed by the unions and military, and instead elected into office a Radical (of the Radical Civic Union) determined to bring justice to violators. This ensured a transition free of military intervention. Full civilian control was not achieved overnight, but the principle of democracy was. The direct confrontation of the Alfonsín administration with the military, and the people's supportive demonstrations, certified that principle. Over time, with clever redirection on behalf of Carlos Menem, the military found a new honorable role in society, where they are regarded for their peacekeeping efforts. In their new role, complete submission to the constitutional order became institutionalized. Today, the Argentine military remains under civilian control. A civilian defense minister coordinates all military activity, and the Argentine Congress determines budgets. Furthermore, as of 2003, Argentina has once again reversed its amnesty policy;<sup>100</sup> there is no sign of a military rebellion to come.

Some may agree with the premise that direct confrontation with the armed forces is best avoided. Scholars can point to other former military regimes in the Southern Cone where trials either failed to be held in a timely manner, or failed to be held at all. However, it is worth noting that Argentina was the first within the Southern Cone of South America to transition, thereby setting a standard of expectations for others. The Argentine military's lack of domestic influence enabled the new government to implement widespread reforms quickly. In Brazil and Chile, the military possessed a greater rapport with their respective societies, and thereby succeeded in implementing safeguards. The Brazilian military did not come under a civilian defense minister until 1999, even though democracy had been restored much earlier.<sup>101</sup> In Chile, General Augusto Pinochet remained a central leader of the armed forces and a central figure in

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<sup>100</sup> Snyder and Vinjamuri, "Trials and Error," 26.

<sup>101</sup> Daniel Zirker, "A Mufti Moment? 1996–1998, and the Civilianization of Brazilian Politics," *Journal of Political and Military Sociology* 36, no. 2 (Winter 2008): 193–194.

government until his death in 2006. The Argentine military did not have such a unifying figure. Pinochet's 1980 constitution remained in effect, guaranteeing his great influence in Chile's government. Even though Chile transitioned to democracy because a majority of Chileans voted not to extend Pinochet's plebiscite, 44 percent of the electorate desired to keep the dictatorship in place.<sup>102</sup>

Therefore, the argument remains valid that societal demands are a key to implementing civilian control of the military. Society's role in electing a government that holds deep commitment to civil-military reform cannot be overlooked. Argentines prevented the military from controlling the mode of transition with their active participation in elections, thereby allowing a civilian government to assert its authority. Finally, President Menem's policies created conditions leading to the achievement of civilian control by redirecting the armed forces and providing them with a noble purpose and mission.

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<sup>102</sup> Douglas W. Payne, "Democracy Wins the First Round in Chile," *Freedom At Issue* 18, no. 105 (1998).

### III. GUATEMALA

#### A. INTRODUCTION

Guatemala's 1985 transition to democracy has produced continuous democratic rule for nearly three decades. However, its movement toward democratic consolidation and the establishment of civilian control over its armed forces has been minimal compared to that of Argentina. This is due to the fact that, as this chapter shows, civil society did not play the vital role in Guatemala that it played in Argentina. Having briefly established democratic rule in 1944, Guatemala succumbed to numerous periods of military rule between 1954 and 1985 because of political instability and foreign influence. The political turmoil fostered a 36-year civil war, beginning in 1960 and ending in 1996. The military's conduct during the war and the war's lasting presence overshadowed the 1985 transition, resulting in little movement toward democratic consolidation and civil-military relations reform. The voices of the people, silenced by repression and ethnic divisions, did not influence greater reform.

Like Argentina, the Guatemalan case study validates the mode-of-transition argument, which states that the method of transition deeply affects democratic consolidation and civilian control of the military. The argument states that transitions with minimal military control offer the best prospect for successful reform.<sup>103</sup> Guatemala presents the negative consequences whenever the transition is under military control. This case study also supports the argument that civil society's actions are a pivotal factor in determining the military's ability to control the transition, via its active protest against the regime and its participation in the electoral process, or lack thereof. In Guatemala's case, civil society participated in politics early on during the 1985 transition, but over time, its participation dwindled. Additionally, the ongoing civil war prevented society from freely voicing dissent toward the government out of fear of violent reprisals.

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<sup>103</sup> Agüero, "Institutions, Transitions, and Bargaining," 197.

## B. BACKGROUND OF POLITICAL CONFLICT AND ITS EFFECTS

Guatemala's political conflict began in 1944 with society's demand for democracy. In that year, General Jorge Ubico y Castañeda, who had been the ruling dictator since 1931, was forced to resign in July, having failed to silence society's public demonstrations protesting his labor and economic policies.<sup>104</sup> Ubico's policies enraged Guatemalans because of the manner in which he sought foreign capital. He allowed foreign companies free reign within the country, and permitted the foreign ownership of vast tracts of Guatemalan land. At the time of his departure, only 2 percent of the population controlled 72 percent of the land, and a sizable portion of the arable land remained unutilized.<sup>105</sup> New Orleans-based United Fruit Company was the major foreign investor; it owned the largest banana plantation, the only railroad, and the telephone services.<sup>106</sup> Additionally, Ubico's labor law, passed in 1934, prevented impoverished Guatemalans from obtaining any upward mobility. All landless individuals were required to work a minimum of 150 days a year for plantation owners. This not only affected the large indigenous population, but also any impoverished *Ladinos*, or persons of mixed European and native descent, who were also landless.<sup>107</sup>

Upon Ubico's resignation, he appointed Federico Ponce as provisional president. Even though Ponce raised teachers' salaries and announced that democratic elections would soon be held, he could not calm the masses in Guatemala.<sup>108</sup> He increased political surveillance, and denied Guatemalans the right to private assembly and public demonstrations.<sup>109</sup> Ponce's political opponents centered their hopes on a former schoolteacher, Dr. Juan José Arévalo, who had been in exile, living in Argentina.<sup>110</sup> Even

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<sup>104</sup> Stephen Schlesinger and Stephen Kinzer, *Bitter Fruit: The Story of the American Coup in Guatemala* (Cambridge, MA: Harvard University Press, 2005), 25–28.

<sup>105</sup> *Ibid.*, 38–40.

<sup>106</sup> *Ibid.*, 70–71.

<sup>107</sup> Susanne Jonas, *The Battle for Guatemala: Rebels, Death Squads, and U.S. Power* (Boulder, CO: Westview Press, 1991), 18.

<sup>108</sup> Schlesinger and Kinzer, *Bitter Fruit*, 29–30.

<sup>109</sup> *Ibid.*, 29.

<sup>110</sup> *Ibid.*, 30.

though he had not been present for previous demonstrations, Guatemalans enthusiastically welcomed him when he arrived in Guatemala on September 2, 1944.<sup>111</sup> However, he quickly went into hiding because Ponce ordered his arrest.<sup>112</sup> Ponce's actions prompted two army officers, Major Francisco Arana and Captain Jacobo Árbenz, to conduct a military revolt, labeled the "October Revolution," which forced Ponce to leave office.<sup>113</sup> The two-man junta held elections shortly thereafter and supported the candidacy of Arévalo. Arévalo won the presidential election of 1944 in a landslide with 85 percent of the eligible vote, and was inaugurated on March 15, 1945.<sup>114</sup>

Once Arévalo took office in 1945, he sought to address social grievances and better the conditions of the average Guatemalan. In 1949, Congress passed the Law of Forced Rental, which was intended to allow Guatemalans to rent unused land from plantation owners.<sup>115</sup> He continued his push for social change until the end of his six-year term. In 1950, then Colonel Árbenz, who had served as Arévalo's Minister of Defense, was elected president and inaugurated the following March, marking the first peaceful transition of power between presidents in 20th century Guatemala.<sup>116</sup> Árbenz pursued a strategy of competing with United Fruit by building a national railway and creating a second port facility free of foreign influence.<sup>117</sup> His policy goals drew the ire of United Fruit because they would infringe upon their profits and control over Guatemalan affairs. He also built on his predecessor's work; his infamous Decree 900 demanded that unused plantation land be confiscated at cost and then turned over to landless individuals for a rental fee.<sup>118</sup> The United States, however, with possible prodding from United Fruit,

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<sup>111</sup> Schlesinger and Kinzer, *Bitter Fruit*, 30.

<sup>112</sup> *Ibid.*, 31.

<sup>113</sup> *Ibid.*

<sup>114</sup> Jonas, *Battle for Guatemala*, 22–23, and Schlesinger and Kinzer, *Bitter Fruit*, 32–35.

<sup>115</sup> Schlesinger and Kinzer, *Bitter Fruit*, 41.

<sup>116</sup> *Ibid.*, 46. This correlates with one of Samuel Huntington's indicators of democratic consolidation; however, it is not a definitive statement on the achievement of democratic consolidation, as Guatemala's democracy remained very much insecure. See Huntington, *The Third Wave*, 266–267.

<sup>117</sup> Schlesinger and Kinzer, *Bitter Fruit*, 53.

<sup>118</sup> *Ibid.*, 54–55.

determined this to be a communist action worthy of U.S. intervention. In 1954, the CIA removed Árbenz from power by sponsoring a popular revolt.<sup>119</sup>

The United States' intervention further compounded Guatemala's struggle for democratic stability. In 1957, Carlos Castillo Armas, America's handpicked successor to Árbenz, was assassinated, giving way to a short-lived military junta. After the junta, Guillermo Flores became the provisional president until March 1958, when General José Miguel Ramón Ydígoras Fuentes assumed the presidency after achieving a weak electoral victory.<sup>120</sup> His foreign policy choices created divisions within the armed forces, leading to further instability within the country. Ydígoras allowed the CIA to use Guatemala as a staging base for the failed Bay of Pigs invasion of Cuba. Several of his officers, already discontented with the economic conditions and levels of corruption in the government, became angered at the use of Guatemalan soil to topple another government. In November 1960, claiming that Ydígoras permitted a loss of sovereignty, several junior officers and approximately a third of the army began an unsuccessful rebellion to topple the government that marked the beginning of civil war.<sup>121</sup>

Guatemala deteriorated rapidly after the onset of war. The United States poured enormous amounts of financial and military aid into this endeavor, seeking to squash any perceived communist developments in the Western Hemisphere. Having failed to prevent the Cuban Revolution and fearful of a communist state between itself and the Panama Canal, the United States dispatched Special Forces to train the Guatemalan army.<sup>122</sup> In 1966, however, the United States increased military aid to include bomber planes, napalm, and radar detection devices, because the Guatemalan Army could not contain the rising guerrilla movement.<sup>123</sup> Additionally in 1966, then President Julio César Méndez

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<sup>119</sup> Schlesinger and Kinzer, *Bitter Fruit*, 199–200.

<sup>120</sup> Georges A. Fauriol and Eva Loser, *Guatemala's Political Puzzle* (New Brunswick, NJ: Transaction, 1991), 33–35, and “Cabinet in Guatemala: Outgoing Provisional Chief Named Defense Minister,” *New York Times*, March 4, 1958, <http://select.nytimes.com/gst/abstract.html?res=F00812FA385B107B93C6A91788D85F4C8585F9>.

<sup>121</sup> Jonas, *Battle for Guatemala*, 66–69.

<sup>122</sup> *Ibid.*, 69.

<sup>123</sup> *Ibid.*, 70.

Montenegro, who had only received a plural victory during the presidential election (44 percent of the vote),<sup>124</sup> signed an agreement with the Guatemalan Army, granting them complete autonomy to pursue internal security matters.<sup>125</sup> This action formalized the military's autonomy from civilian rule and greatly hurt future reform attempts following the transition to democracy.

The army's military capabilities surpassed those of the guerrillas even before the increased military aid. The military could not contain the guerrilla movement because it took refuge in the highlands as early as 1962. This resulted in the fighting being brought to the indigenous population's homesteads.<sup>126</sup> Once the fighting enveloped the highlands, the indigenous population began to suffer numerous casualties. The ability of guerrillas to hide amongst the highland population led to the natives being labeled as the "water" supporting the guerrilla "fish."<sup>127</sup> The indigenous people became trapped in the middle, as the army punished them for supporting the guerrillas, and the guerrillas punished any person whom they suspected of supporting the army. The cycle of violence continued to escalate, with neither side able to eliminate their opponents.

As the war entered its third decade, the Guatemalan army exacerbated the war's effects by forming the Civilian Self-Defense Patrols in 1981.<sup>128</sup> The army forced individuals to join the patrols by threatening them and their families.<sup>129</sup> These members were then required to patrol villages ahead of the army, and often committed atrocities in their own communities.<sup>130</sup> Thus, the army not only committed human rights violations, but also succeeded in turning Guatemalans against each other, further preventing any attempt at a united societal uprising. The bloodshed was on everyone's hands. Human rights violations soared with babies being cut out of wombs; women were brutally raped

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<sup>124</sup> Kenneth F. Johnson, *The Guatemalan Presidential Election of March 6, 1966: An Analysis* (Washington, D.C.: Institute for the Comparative Study of Political Systems, 1967), 19.

<sup>125</sup> Archdiocese of Guatemala, *Guatemala Never Again!*, 197.

<sup>126</sup> *Ibid.*, 194.

<sup>127</sup> Jonas, *Battle for Guatemala*, 68.

<sup>128</sup> Archdiocese of Guatemala, *Guatemala Never Again!*, 118.

<sup>129</sup> *Ibid.*, 120–121.

<sup>130</sup> *Ibid.*, 123–125.

and murdered. Women and children were often hacked to death by machetes in a ruthless attempt to squash any notion of rebellion.<sup>131</sup>

The pendulum swing of the presidency between military dictators and military elected presidents continued until the final set of dictatorships began in 1982. General José Efraín Ríos Montt conducted a coup, beginning a 17-month dictatorship. As a fervent believer in the “fish and water” concept, Ríos Montt launched a military strategy labeled the “scorched earth” campaign.<sup>132</sup> During that time, the war turned genocidal, with the army attempting to eliminate entire ethnic tribes. Faced with enormous military defeats, the multitudes of guerrilla organizations decided to band together and form the Guatemalan National Revolutionary Unity (URNG) in 1982.<sup>133</sup>

Ironically, however, once coming to power, Ríos Montt announced a plan toward democracy, set to take place in 1985.<sup>134</sup> This earned him the favor of U.S. President Ronald Reagan who stated Ríos Montt had received “a bum rap.”<sup>135</sup> Additionally, the U.S. State Department claimed that Ríos Montt’s coup had “improved the human rights situation and has opened the way for a more effective counterinsurgency.”<sup>136</sup> Ríos Montt’s dictatorship ended shortly thereafter by a follow-on coup; his successor, Óscar Humberto Mejía Victores, continued toward democratization.<sup>137</sup> While on the surface appearing as a noble military institution seeking to establish stability and democratic rule, the military’s motives were not as pure as they seemed. The international community had blacklisted Guatemala for its atrocious human rights violations. Foreign capital had significantly reduced, and Guatemala’s long-time partner, the United States, had

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<sup>131</sup> Archdiocese of Guatemala, *Guatemala Never Again!*, 29–39 and 73–85.

<sup>132</sup> *Ibid.*, 218–241.

<sup>133</sup> Jonas, *Battle for Guatemala*, 141.

<sup>134</sup> Fauriol and Loser, *Guatemala’s Political Puzzle*, 57.

<sup>135</sup> Daniel Wilkinson, *Silence on the Mountain: Stories of Terror, Betrayal, and Forgetting in Guatemala* (Durham, NC: Duke University Press, 2004), 328. Reagan’s actions draw a stark contrast to future President William J. Clinton, who publicly stated in 1999 that it was wrong of the United States to have supported the Guatemalan Army. On behalf of the United States, he apologized to the people of Guatemala. See John M. Broder, “Clinton Offers His Apologies to Guatemala,” *New York Times*, March 11, 1999, <http://www.nytimes.com/1999/03/11/world/clinton-offers-his-apologies-to-guatemala.html>.

<sup>136</sup> Jonas, *Battle for Guatemala*, 148.

<sup>137</sup> Fauriol and Loser, *Guatemala’s Political Puzzle*, 59.



publically condemned it under the previous James E. Carter administration for human rights violations.<sup>138</sup> As business elites became more irate with the military government, the military sought an exit strategy that would preserve its institutional autonomy.

### C. TRANSITION TO DEMOCRACY

Guatemala's transition to democracy in 1985 most closely followed Huntington's analysis of transformation. This category best describes the transition because it was the military, under the leadership of Mejía Victores, which initiated and controlled the transition. In 1984, Guatemala held congressional elections. The newly elected Congress worked toward drafting a new constitution for Guatemala in order to establish presidential elections in 1985. The elections were generally considered "free and fair," with the exception that no political party associated with the guerrillas was permitted to run for office.<sup>139</sup> An astonishing 70 percent of eligible Guatemalans voted in the first round of the presidential election. Participation dropped to 65 percent during the second round, which certified Marco Vinicio Cerezo Arévalo as the first civilian president of Guatemala since Méndez Montenegro left office in 1970.<sup>140</sup>

While this was an enormous step toward Guatemala's democratization, the country remained in an intense internal struggle with a military autonomous from civilian rule. President Cerezo, after his election, even openly admitted his inferiority toward the military in terms of political power.<sup>141</sup> As the military had been the only continuous institution of government since the 1954 coup, it remained the strongest entity within the country, leaving it responsible for tending to most of Guatemala's struggles. Moreover, the military's strength and unchecked independence allowed it to remain a threat toward democratic consolidation. President Cerezo survived two coup attempts, one in May 1988 and the other in May 1989, only because his Minister of Defense was able to counter the

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<sup>138</sup> Jonas, *Battle for Guatemala*, 195–197.

<sup>139</sup> Fauriol and Loser, *Guatemala's Political Puzzle*, 63–64.

<sup>140</sup> *Ibid.*, 76–79.

<sup>141</sup> J. Mark Ruhl, "The Guatemalan Military since the Peace Accords: The Fate of Reform Under Arzú and Portillo," *Latin American Politics and Society* (Spring 2005): 57.

coups with loyalist troops.<sup>142</sup> The military also remained committed to the appearance of democracy when they removed President Jorge Serrano Elías from office in 1993 and forced him into exile. President Serrano had experienced earlier trouble with the military after he recognized Belize in 1991. At that time, the military still regarded all of Belize as belonging to Guatemala.<sup>143</sup> Although a coup is non-democratic by nature, Serrano had attempted to dissolve the Congress and suspend the constitution. Therefore, the military removed him until new elections could be held.<sup>144</sup>

In addition to reestablishing democratic rule, the Guatemalan government, in accordance with the 1985 constitution, permitted the creation of the *Procuraduría de los Derechos Humanos* (PDH)<sup>145</sup> The PDH's purpose was to document human rights abuses in order to promote their reduction and eventual extinction. While publicly supporting the commission and denouncing brutal atrocities, the government took measures to hinder meaningful revelations from coming forward. Often times, commission workers did not speak the language of the indigenous people, thereby denying them a forum to tell their story.<sup>146</sup>

The civil war continued throughout the 1990s, resulting in continual international pressure mounting up against the Guatemalan government, especially from the unwanted attention that human rights atrocities garnered.<sup>147</sup> The United Nations Commission on Human Rights indicated that it would place Guatemala on the list of "gross human rights

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<sup>142</sup> Ruhl, "The Guatemalan Military since the Peace Accords," 57, and "Guatemala's Civilian Chief Foils a 2d Coup Attempt," *New York Times*, May 10, 1989, <http://www.nytimes.com/1989/05/10/world/guatemala-s-civilian-chief-foils-a-2d-coup-attempt.html>.

<sup>143</sup> Krista E. Wiegand, "Nationalist Discourse and Domestic Incentives to Prevent Settlement of the Territorial Dispute Between Guatemala and Belize," *Nationalism and Ethnic Politics* 11, no. 3, 349–383.

<sup>144</sup> Ruhl, "The Guatemalan Military since the Peace Accords," 58. It is worth mentioning that current President Otto Perez Molina was considered to be a moderate officer and instrumental in removing Serrano from power. See J. Mark Ruhl, "Guatemala: A Failing State?," *Western Hemisphere Security Analysis Center* (2011), Paper 12, <http://digitalcommons.fiu.edu/whemsac/12>.

<sup>145</sup> Brett, "Confronting Racism from within the Guatemalan State," 213.

<sup>146</sup> Ibid. There are several different languages in Guatemala, and a significant number of the population does not speak the Spanish language.

<sup>147</sup> Susanne Jonas, "Democratization through Peace: The Difficult Case of Guatemala," *Journal of Interamerican Studies and World Affairs* (Winter 2000): 11.

violators” if President Serrano did not initiate peace negotiations.<sup>148</sup> Additionally, the UN sponsored the “Group of Friends,” comprised of six international governments pushing the Guatemalan government toward peace.<sup>149</sup>

Even without societal influence, the army, unable to completely annihilate the guerrillas, came to the realization that negotiations were the only viable means of ending the war. The first negotiations took place under President Serrano in 1991. However, the 1993 attempted self-coup of Serrano placed negotiations on hold.<sup>150</sup> Negotiations finally resumed after the slim second-round election victory of President Álvaro Arzú in January 1996. He campaigned on a promise to gain control of the military and successfully end the peace process before the end of the year.<sup>151</sup> As president-elect, he met with the UNRG to discuss how best to conclude the civil war. His persistence led to the signing of the peace accords on December 29, 1996.<sup>152</sup> At the war’s conclusion, over 200,000 people had died.<sup>153</sup>

#### **D. PURSUIT OF CIVILIAN CONTROL OF THE MILITARY**

Even though the war had ended, the horrific consequences had not. The social issues present before the war began, remained after its conclusion. The vast majority of Guatemalans remained in poverty and many were illiterate, with almost all of the indigenous population falling into that category. However, the war’s ending promised better governing of Guatemala and positive reform in civil-military relations. The agreed-upon accords called for the civilianization of the intelligence agency, the reorganization of the police force, the reduction in the size of the military and its budget, and the

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<sup>148</sup> Rachel McCleary and Blair Ewing, “A Brief Opportunity for Peace in Guatemala,” *Christian Science Monitor* (1908-Current File), Feb 18, 1993, <http://search.proquest.com/docview/513128731?accountid=12702>

<sup>149</sup> Jonas, “Democratization through Peace,” 14.

<sup>150</sup> Ibid., 12.

<sup>151</sup> Ibid., 13–14.

<sup>152</sup> Piet van Lier, “No Justice, But Peace (For Now): Hard-won Political Space in Guatemala,” *Z Magazine* (March 1997): 32.

<sup>153</sup> Broder, “Clinton Offers His Apologies to Guatemala.”

focusing of the military only on external defense.<sup>154</sup> Additionally, the military was to become subject to civilian courts for common crimes. However, partial amnesty was granted for crimes committed before 1996, excluding genocide, torture, and forced disappearances. This resulted in *de facto* amnesty because the established truth commission did not have judicial power assigned to it.<sup>155</sup>

President Arzú did achieve some of the required reforms. He asserted civilian supremacy over military promotions by purging several generals due to corruption scandals. Additionally, the military shrank in size and saw its budget reduced from 0.99 percent of the GDP to 0.68 percent. Finally, he dismantled the last remaining civil patrols. His achievements did not fulfill the goal of establishing civilian supremacy over the military. Although he created a Strategic Analysis Secretariat (SAE) as a civilian intelligence agency, intelligence gathering remained concentrated in military hands. Mostly military personnel, although intended to be made up of civilians, staffed the SAE. Furthermore, Arzú failed to dismantle the Presidential General Staff (EMP), the military security detail that had the worst record on human rights.<sup>156</sup>

As far as police reform was concerned, Arzú's government had the ambitious task of creating a national police force in the hopes of removing the military from internal security. The buildup of the police force proved to be very challenging as there were very few readily trained individuals. After the peace accords, police presence was lacking in approximately 60 percent of all Guatemalan municipalities.<sup>157</sup> In seeking police recruits, the government permitted unemployed servicemen (from military downsizing) to apply. Former military men made up 7 percent of the police force and thereby performed the same mission they had done in the army; they just wore different uniforms.<sup>158</sup> While this strategy helps ease the pain of military downsizing, looking below the surface, one can

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<sup>154</sup> "Agreement on Military Marks Last Stage of Guatemala's Peace Negotiations," *Latin American Weekly Report* 38 (1996): 445.

<sup>155</sup> Jonas, "Democratization through Peace," 16–17.

<sup>156</sup> Ruhl, "The Guatemalan Military since the Peace Accords," 60–64.

<sup>157</sup> Marie-Louise Glebbeek, "Police Reform and the Peace Process in Guatemala: the Fifth Promotion of the National Civilian Police," *Bulletin of Latin American Research* 20, no. 4 (2001): 437.

<sup>158</sup> *Ibid.*, 443.

see potential problems. The very same individuals who had committed human rights violations in the name of internal security remained in the exact same position with similar power. As Juan J. Linz and Alfred Stepan claim, citizens must have trust in the government for consolidation to occur.<sup>159</sup> The people of Guatemala lived in fear of the military for 36 years because of the military's violent and brutal means of conducting police roles. A small uniform change does little to reduce a population's long-term fear of brutality.

Arzú had another opportunity to promote additional lasting reform, but failed to promote it, and interference from the Congress prevented it from taking root. Two proposed referenda to change the constitution would have formally redefined the military's mission to external defense, and permitted a civilian to fulfill the role of defense minister.<sup>160</sup> The former would have guarded Guatemala from a potential repeating of history, and the latter would have strengthened civilian control over the military. Unfortunately, when the public referenda were put to a vote, only 19 percent of the electorate voted; the referenda failed to receive a majority vote.<sup>161</sup> It remains an enigma why a population so brutally oppressed by its military would not vote in favor of eliminating internal security from the military's mission. Possible reasons include: unenthusiastic campaigning on behalf of the Arzú administration, congressional scheduling issues, and a better-financed "no" campaign.<sup>162</sup> Arzú's lack of campaigning may have stemmed from his shifting focus from campaign issues to a concern over rising crime and economic troubles.<sup>163</sup>

Arzú did, however, permit the establishment of a truth commission, which later produced a report entitled "Guatemala Never Again." The commission compiled victims' accounts of their sufferings. Although, there was never any official interference on the military's part, anonymous phone calls were made to intimidate the population as they

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<sup>159</sup> Linz and Stepan, *Problems of Democratic Transition and Consolidation*, 7.

<sup>160</sup> Ruhl, "The Guatemalan Military since the Peace Accords," 62.

<sup>161</sup> Ibid.

<sup>162</sup> Ibid., 63.

<sup>163</sup> Ibid., 66.

prepared to testify. Daniel Wilkinson, an American human rights activist who conducted lengthy field research in Guatemala in the mid-1990s, recalled one such phone call threatening to bomb a commission meeting site that he was to attend.<sup>164</sup>

The commission's published report implicated the army and guerrillas in the ruthless killing; but it blamed the military for 90 percent of the atrocities.<sup>165</sup> If the report was meant to instill credibility and trust in the Guatemalan government, it failed terribly due to being overshadowed by events two days after its release. Bishop Juan Gerardi Conedera, the lead architect of the investigation and final report of "Guatemala Never Again," was murdered in the garage of his local parish.<sup>166</sup> Francisco Goldman shares his investigative reporting on the murder in his book *The Art of Political Murder: Who Killed the Bishop?* The book traces responsibility to two army officers who were later convicted. The implication of this incident for democratic consolidation and civilian control of the military is grave. Although at the present time it remains impossible to certify that the military as an institution ordered the bishop's death, the fact that a senior colonel was involved and convicted in 2002 alludes to the possibility of military culpability.<sup>167</sup> Goldman's book also offers testimony accusing current Guatemalan President Otto Perez Molina, at that time an active military officer, of being within the vicinity of the parish during Gerardi's murder.<sup>168</sup> This remains to be proven, but even the notion that a sitting president may have been an accomplice to a murder is unsettling in any democracy.

Alfonso Antonio Portillo Cabrera succeeded Arzú in 2000. Sadly, he completed only one significant achievement in terms of civil-military relations reform, but also undermined many of the previous achievements. He fulfilled his campaign promise of dissolving the EMP; in its place, he established the Secretariat of Administrative Affairs and Security (SAAS.) Unfortunately, this new agency was mostly staffed with former

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<sup>164</sup> Wilkinson, *Silence on the Mountain*, 296.

<sup>165</sup> Archdiocese of Guatemala, *Guatemala Never Again!*, xvi.

<sup>166</sup> Francisco Goldman, *The Art of Political Murder: Who Killed the Bishop?* (New York: Grove Press, 2007), 25–41.

<sup>167</sup> *Ibid.*, 256–258.

<sup>168</sup> *Ibid.*, 306–307.

members of the EMP; thus, only a uniform change was accomplished.<sup>169</sup> He did maintain his supremacy over military affairs, but only by fostering subjective—rather than objective—control. As a member of the Guatemalan Republican Front (FRG) Party, Portillo used his power to oversee military promotions to politicize the military. Only members loyal to the FRG party received promotions.<sup>170</sup> The head of the FRG party, former dictator Ríos Montt, became a close confidant of Portillo. Ríos Montt's influence over Portillo and over the FRG-controlled Congress ensured that no further reform occurred. Instead, the military's budget increased along with their role in internal security. The rise in crime and drug trafficking provided their justification for having the military support police missions.<sup>171</sup>

Little has changed in the realm of civil-military relations in Guatemala since Portillo left office in 2004. The military has not conducted a coup and does not appear prone to do so; however, the military remains insulated. Although the Congress has some involvement in determining the military budget, generals often refuse to offer testimony on the details of how the budget is appropriated on the grounds of national security. Article 30 of Guatemala's constitution permits this.<sup>172</sup> In addition, according to Guatemala's Ministry of Defense website, a military general continues to fill the role of defense minister. The military still conducts internal security missions. These have increased due to continual rising crime and drug trafficking, resulting in the buildup of the armed forces.<sup>173</sup>

Furthermore, there is lack of trust in the government and its abilities. Guatemala continues to be a dangerous place, with a homicide rate of 34.5 per every 100,000 as of 2012, according to the U.S. Department of State. The criminal justice system is seen as highly inefficient, leading many Guatemalans to take justice into their own hands.

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<sup>169</sup> Ruhl, "The Guatemalan Military since the Peace Accords," 70.

<sup>170</sup> *Ibid.*, 69.

<sup>171</sup> *Ibid.*, 71.

<sup>172</sup> *Ibid.*, 76.

<sup>173</sup> Ruhl, "Guatemala: A Failing State?" 9.

Lynching of accused criminals is not uncommon.<sup>174</sup> Other obstacles for Guatemala include the present drug trade. Drugs continue to flow through Guatemala en route to the United States, and their cash profits have been used in political campaigns.<sup>175</sup> As drug cartels are notoriously violent, many Guatemalans remain in a constant state of fear. This has caused the ironic situation where many consider the army to be the lesser evil, and subsequently many desire an army presence in their villages. The conditions remain so deteriorated that as of a 2010 *Latinobarómetro* poll, 58.3 percent of those answering the survey stated they would favor a military government.<sup>176</sup>

There also remains the obstacle of little accountability for the military's actions prior to the peace accords, although progress has occurred. The Guatemalan Constitutional Court ruled that individuals accused of forced disappearances could stand trial. Felipe Cusanero Coj, a former civilian army collaborator, received the first conviction in 2009, resulting in a sentence of 150 years.<sup>177</sup> Additionally, in 2012, eight former soldiers received guilty verdicts for similar crimes resulting in sentences between 6,000 and 8,000 years.<sup>178</sup> Finally, courageous attorneys took an unprecedented step in 2013 by bringing former dictator Ríos Montt to trial for crimes of genocide. In May, Ríos Montt received a guilty verdict and was sentenced to 80 years in prison. Shortly thereafter, the courts overturned the verdict on a technicality and ordered a retrial for 2015. Guatemalans will have to wait and see if he will pay for his actions.<sup>179</sup>

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<sup>174</sup> Angelina Snodgrass Godoy, "Lynchings and Democratization of Terror in Postwar Guatemala: Implications for Human Rights," *Human Rights Quarterly* 24, no. 3 (August 2002): 640–641.

<sup>175</sup> Ruhl, "Guatemala: A Failing State?," 2–3.

<sup>176</sup> "Latinobarómetro - Round 2010," Corporación Latinobarómetro, Accessed March 21, 2014, <http://www.latinobarometro.org/latOnline.jsp>.

<sup>177</sup> United Nations Human Rights: Office of the High Commissioner for Human Rights, "Enforced Disappearance: First Steps in Guatemala to End Impunity," December 28, 2009, <http://www.ohchr.org/EN/NewsEvents/Pages/EnforcedDisappearanceGuatemala.aspx>.

<sup>178</sup> U.S. Department of State: Bureau of Democracy, Human Rights, and Labor, *Guatemala 2012 Human Rights Report*, April 19, 2013, <http://www.state.gov/documents/organization/204664.pdf>.

<sup>179</sup> "Guatemala Rios Montt Genocide Trial to Resume in 2015," *BBC News*, November 6, 2013, <http://www.bbc.co.uk/news/world-latin-america-24833642>.



## E. CONCLUSION

Guatemala has had a long and turbulent history. The fractured society succumbed to interventionist attitudes during the Cold War and was thrust into a 36-year civil war. Class divisions, oppressive brutal military control, and now the ever-growing drug problems have rendered the Guatemalan society unable to decide its own course. The military remains almost completely autonomous from civilian rule and corruption rages throughout all parts of the government. Civil society is weak and was unable to demand change, thus leaving the military and corrupt officials to decide their fates for them. Despite some protests and social movements, the military's violent crackdown in the 1980s significantly silenced the voice of the Guatemalan people.<sup>180</sup>

In reviewing Guatemala's pursuit of democratic consolidation and civilian control of the military, Felipe Agüero's predictive theory, stating that a military able to control the transition will minimize civilian control, is validated.<sup>181</sup> Guatemala's transition, as opposed to Argentina's, assured them the ability to control the process. Since the military's power was not threatened, the institution applied very little contestation toward the new government.

Democracy is not consolidated, because the population does not have a significant voice through the current political parties. Wendy Hunter, in her evaluation of the Southern Cone region of South America, explains that reform occurs via the electoral process. She argues that politicians seeking election will eventually become beholden to the electorate and not to the military institution.<sup>182</sup> It seems to be a valid argument, yet it does not apply to Guatemala for two reasons: 1) the party system is weak, with a very high electoral volatility;<sup>183</sup> 2) voter turnout is low, resulting in very few political parties taking up social issues.<sup>184</sup> After the impressive 70 percent voter turnout in the first round

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<sup>180</sup> Jonas, *Battle for Guatemala*, 180–92.

<sup>181</sup> Agüero, "Institutions, Transitions, and Bargaining," 197.

<sup>182</sup> Hunter, "Continuity or Change?" 453–454.

<sup>183</sup> Omar Sánchez, "Guatemala's Party Universe: A Case Study in Underinstitutionalization," *Latin American Politics and Society* (Spring 2008): 126.

<sup>184</sup> *Ibid.*, 134.

of 1985's presidential election, voter turnout fell to as low as 36 percent in 1995.<sup>185</sup> The Guatemalan citizenry has not until recently actively participated in elections. Voter turnout increased to nearly 61 percent in the 2011 presidential election.<sup>186</sup>

There are some promising signs, specifically in the courts, where some war trials are being held. However, the government still struggles to provide security and justice, leaving strong support for a military government. Fortunately, the military appears content with the status quo for now.

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<sup>185</sup> For information on voting turnout in Guatemala, see *International Institute for Democracy and Electoral Assistance*. <http://www.idea.int/vt/countryview.cfm?CountryCode=GT>.

<sup>186</sup> Ibid.

## **IV. CONCLUDING COMPARISONS**

### **A. INTRODUCTION**

After reviewing the Argentine and Guatemalan case studies, comparisons and contrasts can be drawn to explain why a country democratizes effectively and why militaries do or do not subordinate themselves to civilian rule. Although neither example presents an ideal transition—whereby the military willingly relinquishes power without preconditions—examining the two countries’ pasts reveals that Argentina had conditions more conducive to consolidation than Guatemala did. Argentina’s military left power under humiliating circumstances and civil society actively participated in the political process, whereas this did not happen in Guatemala. An explanation of these events can be drawn by studying three time periods: the pre-conflict environment, the transition period, and the post-transition period.

### **B. THE PRE-CONFLICT ENVIRONMENTS**

#### **1. Pre-Conflict Environment in Argentina**

Argentina established democratic rule in 1853 and maintained it until the 1930s, thereby creating a democratic history. Even though the military conducted coups frequently from the 1930s to the 1970s, the inner workings of the government experienced little change. The first coups resulted in temporary military rule with relatively quick handovers to democratic leadership, which kept the memory of democracy alive.<sup>187</sup> The two final periods of military rule continued considerably longer; however, the junta kept technocrats in place and did not change government institutions. The government remained under military supremacy, but a large civil-service workforce still supported it, which enabled Argentines to maintain interaction with the government.<sup>188</sup> Furthermore, Argentina never abolished its 1853 constitution, although

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<sup>187</sup> Moyano, *Argentina’s Lost Patrol*, 2–30.

<sup>188</sup> David Collier, “Overview of the Bureaucratic-Authoritarian Model,” in *The New Authoritarianism in Latin America*, ed. David Collier (Princeton: Princeton University Press, 1979), 24–30.

some changes were made. Therefore, when the military junta capitulated for the final time, a formalized governmental structure existed for post-transition efficiency.

## **2. Pre-Conflict Environment in Guatemala**

Guatemala never established long-term democratic rule before its struggles began. Military officers dominated politics until the 1944 election of Dr. Juan José Arévalo.<sup>189</sup> Once the peaceful transition of power occurred in 1951, Guatemala may well have been on its way toward democratic consolidation, but the United States perception of communist activity, and the CIA's actions, abruptly halted the process. The constant instability prevented the country from formalizing any governmental institutions, other than the military. In the midst of political instability, Guatemala lacked an inclusive identity. The indigenous population made up a significant portion of its citizenry, but faced the harshest labor and living conditions.<sup>190</sup>

## **C. THE TRANSITION PERIOD**

### **1. Transition in Argentina**

Argentina's conflict began as an ideological struggle and remained so throughout its duration. It began with Perón's exile, and then morphed into guerilla war. As the guerrillas strengthened, the subversive threat provided the military with an excuse to institute repression and torture. The junta prosecuted the Dirty War indiscriminately. Anybody who dared to speak out against the government placed themselves at risk of torture and oftentimes death; no one was safe.

As the Dirty War progressed, the two guerrilla organizations, the Montoneros and the ERP, faced tremendous losses and finally ceased to exist as functioning entities. Once the guerrilla threat had been eliminated, the conflict began to lose its legitimacy with society. The military's overuse of torture, combined with its dismal economic and wartime performance during the Falklands/Malvinas War, caused it to lose legitimacy,

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<sup>189</sup> Schlesinger and Kinzer, *Bitter Fruit*, 30.

<sup>190</sup> Susanne Jonas, *The Battle for Guatemala: Rebels, Death Squads, and U.S. Power* (Boulder, CO: Westview Press, 1991), 18.

resulting in its quick exit in 1983. Additionally, prior to the transition, civil society had experienced a rebirth, especially through the increasing number of participants in public demonstrations. By quickly retreating from governance, the military did not possess the means to control the transition process. As the mode-of-transition argument states, the military's ability to control the transition greatly affects the prospects of gaining civilian control over it.

## **2. Transition in Guatemala**

Guatemala's civil war began in 1960 as an ideological struggle as well, but then adopted qualities of ethnic strife and genocide. It also started with direct foreign involvement by the United States. The guerrillas retreated into the indigenous populated highlands in the 1960s, creating an ethnic component to the struggle, specifically with the genocidal 1982 "Scorched Earth" campaign.<sup>191</sup> Additionally, the war pressured President Julio César Méndez Montenegro to sign an agreement with the military, granting them complete autonomy to pursue internal security matters, which institutionalized military supremacy over the civilian government.<sup>192</sup>

The army also fractured society even further by forcibly requiring civilians to murder one another through the Civilian Self-Defense Patrols.<sup>193</sup> By repressing civil society, the military preserved its status as the dominant institution within the country. Again, the mode-of-transition argument is validated because the military's control of the transition ensured minimal civilian involvement in formulating the rules of the game.

## **D. THE POST-TRANSITION PERIOD**

### **1. Post-Transition Period in Argentina**

Once democracy returned, Argentina was able to focus on internal matters, thanks largely to presidents Raul Alfonsín and Carlos Menem's foreign policies.<sup>194</sup> Argentina

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<sup>191</sup> Archdiocese of Guatemala, *Guatemala Never Again!*, 218–241.

<sup>192</sup> *Ibid.*, 197.

<sup>193</sup> *Ibid.*, 118.

<sup>194</sup> Garrett, "The Beagle Channel Dispute: Confrontation and Negotiation in the Southern Cone," 99–101 and Carasales, "The So-Called Proliferator That Wasn't: The Story of Argentina's Nuclear Policy," 57.

made peace with its neighbors allowing it to focus on economic recovery and civil-military relations reform. Additionally, when Argentina transitioned to democracy, the guerrilla conflict was over, thus allowing for a redefinition of military missions. Argentines, eager for democracy and accountability for the military's actions, leaped at the opportunity to voice their dissent by electing Alfonsín, who had campaigned vowing to punish human rights violations.<sup>195</sup>

Alfonsín's election was a critical juncture in that it negated the military's post-transition strategy. The military expected the Peronist candidate to win and to respect the military's hastily passed pre-exit laws, which would have minimized the prospect of reform. Alfonsín launched the truth commission, which brought the numerous human rights violations into public record.<sup>196</sup> As a result, military rebellions occurred, demonstrating a lack of civilian control throughout Alfonsín's tenure as president and into Menem's term.<sup>197</sup> Even though the military possessed the capability to usurp power, civil society remained mobilized and held demonstrations against a return to military rule.<sup>198</sup> The military protested most against human rights trials, especially after the judiciary announced proceedings against lower-ranking officers.<sup>199</sup> Alfonsín attempted to resolve the situation by passing the Due Obedience Law, which stopped criminal proceedings against service members below the rank of colonel. The significant drop in Menem's popularity after his amnesty provided the military with additional evidence of their own unpopularity.<sup>200</sup>

Reforms such as the National Defense Law, civilian defense ministry, and budgetary oversight by the Congress remained in effect under Menem, solidifying the institutional changes in the nature of civil-military relations. Menem's redirection of the military, whereby he sent forces on international peacekeeping operations with European

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<sup>195</sup> Lewis, *Guerrillas and Generals*, 199–200, and Hunter, "Continuity or Change?" 463.

<sup>196</sup> Norden, *Military Rebellion in Argentina*, 99–100.

<sup>197</sup> *Ibid.*, 127–138, 150–154.

<sup>198</sup> *Ibid.*, 128.

<sup>199</sup> Lewis, *Guerrillas and Generals*, 223–225.

<sup>200</sup> Nash, "Argentina's President Turns Economics into Poll Approval."

militaries, exposed the military to Western ideals of democracy and provided them with an alternative mission set.<sup>201</sup> The complete institutionalization of civilian control has been achieved. The military has not protested the renewal of trials for human rights violations after 2003.

## **2. Post-Transition Period in Guatemala**

Guatemala's 1985 transition produced continuous democratic rule, but the country remained at war until December 1996. Its movement toward democratic consolidation and civilian control of the military has been minimal compared to that of Argentina. This is due to the fact that the military remained very influential in government. Additionally, the violence and ethnic divisions prevented society from applying pressure from below. As the military remained the true source of governmental power, civil society's political participation diminished. As a result, it took international pressure from the UN-sponsored "Group of Friends," and the military's willingness to negotiate with the UNRG, to end the war.<sup>202</sup>

The Guatemalan government now has some control over the military, but progress has been slow over a long period of time. The first president, Marco Vinicio Cerezo Arévalo, did not have control over the military and publicly acknowledged it; he even faced two coup attempts.<sup>203</sup> Only after the peace accords, signed in December 1996, did civil-military relations reforms become possible. President Álvaro Arzú, elected in January 1996, dismantled the Civilian Self-Defense Patrols and significantly reduced the size of the military and its expenditures.<sup>204</sup> However, he failed to implement all reforms, specifically removing the military from internal intelligence gathering and dismantling the EMP.<sup>205</sup> His successor, President Alfonso Antonio Portillo Cabrera, did abolish the

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<sup>201</sup> Sotomayor, *The Myth of the Democratic Peacekeeper*, 111–112.

<sup>202</sup> Jonas, "Democratization through Peace," 14.

<sup>203</sup> Ruhl, "The Guatemalan Military since the Peace Accord," 57, and "Guatemala's Civilian Chief Foils a 2d Coup Attempt."

<sup>204</sup> Ruhl, "The Guatemalan Military since the Peace Accord," 60–64.

<sup>205</sup> Ibid.

EMP, but only by shifting personnel into the newly created SAAS.<sup>206</sup> Portillo also rebuilt the armed forces to counter drug and crime issues.<sup>207</sup> The National Police Force faces many challenges in providing internal security, which allows the military to remain as an internal police force.<sup>208</sup> Guatemala's geographic proximity to drug producers and drug markets provides enormous challenges in stopping the violence and preventing drug money from influencing government officials.<sup>209</sup> These internal security concerns distracted Guatemalan politicians from pursuing complete civilian control of the military. The military remains semi-autonomous because it is not under a civilian defense ministry. Additionally, the Congress does not have complete budgetary oversight, because Guatemala's constitution permits military non-disclosure on the basis of national security.<sup>210</sup>

Civil society's political participation, although initially high, was reduced dramatically and has only recently begun to rebound.<sup>211</sup> The war served as a constant reminder of the fear under which Guatemalans lived. In addition to a fearful society, poverty and illiteracy remained high, producing conditions similar to pre-war Guatemala. The PDH and the truth commission's report, *Guatemala, Never Again*, could have better affected society's rebirth, but they were overshadowed by Bishop Juan Gerardi Conedera's murder, rising crime rates, and military impunity from human rights violations. The truth commission identified the military as 90 percent responsible for all atrocities, but it did not have judicial power assigned to it, resulting in Guatemalans having to wait until 2009 for the first conviction.<sup>212</sup> The 2013 mistrial of José Efraín Ríos Montt was a setback for accountability. However, Guatemalans appear to be taking it in

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<sup>206</sup> Ruhl, "The Guatemalan Military since the Peace Accord," 60–64.

<sup>207</sup> Ibid., 71.

<sup>208</sup> Ruhl, "Guatemala: A Failing State?" 9.

<sup>209</sup> Ibid., 2–3.

<sup>210</sup> Ibid., 70.

<sup>211</sup> For information on voting turnout in Guatemala, see *International Institute for Democracy and Electoral Assistance*. <http://www.idea.int/vt/countryview.cfm?CountryCode=GT>.

<sup>212</sup> United Nations Human Rights: Office of the High Commissioner for Human Rights, "Enforced Disappearance: First Steps in Guatemala to End Impunity."



stride, noting that due process must be applied to all parties if justice is to be institutionalized.<sup>213</sup>

## **E. CONCLUSION**

This thesis has addressed many factors that shaped the outcomes of democratization in Argentina and Guatemala. In comparing the two countries, this research set out to prove that civil society was critical in determining each country's paths. However, after reviewing both case studies, a follow-on question emerges: Does civil societal participation determine democratization and civil-military relations reform, or does democratization and military reform in turn induce civil societal participation? One can make the argument that Argentine civil society spoke up continuously only because of certain enabling conditions. The Dirty War was over. Argentina had a history of democracy dating back to 1853. Guatemala remained in a long-term violent struggle during its transition, received extensive American intervention during the Cold War, and did not have any long-term periods of stable democratic rule.

While not minimizing the challenges and accomplishments of the Argentines, they faced fewer obstacles than did Guatemala. Even still, this thesis has demonstrated the impact of civil society's influence. The Argentines chose Alfonsín. Without their vote, which demanded that human rights violations be punished, there may have been a vastly different outcome—with the military never fully falling under civilian control. Had Guatemalans overcome their ethnic differences and openly challenged the military regime, civilian presidents may have felt more emboldened to implement reforms. However, Guatemalans remained too fractured and war ravaged for 36 years.

Finally, in a global perspective, countries that transition from authoritarian rule must have, to some degree, significant input from their citizens. Those citizens must have government institutions that will acknowledge their concerns, or at least identify political individuals who sincerely place their country before self-interest. A government that does not hear from its constituents cannot act on their requests, but constituents who cannot

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<sup>213</sup> Elisabeth Malkin, "Genocide Trial of Guatemalan Ex-Dictator May Have to Restart," *New York Times*, May 21, 2013, [http://www.nytimes.com/2013/05/22/world/americas/trial-of-ex-dictator-of-guatemala-may-have-to-restart.html?\\_r=0](http://www.nytimes.com/2013/05/22/world/americas/trial-of-ex-dictator-of-guatemala-may-have-to-restart.html?_r=0).

get the ear of the government may soon silence their voices altogether. Newly democratizing countries benefit from foreign aid that specifically targets the building of democratic institutions, i.e., electoral monitoring, voter education, judicial reforms to include courts and police training, and continual training in the civilian control of the military. In post-conflict theaters, where the security situation permits, military aid should be minimized, as militaries possessing greater strength than their civilian counterparts place democratic consolidations at risk.

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